

**Exeter Board of Selectmen Meeting  
Monday, January 30<sup>th</sup>, 2017, 7:00 p.m.  
Nowak Room, Town Office Building  
10 Front Street, Exeter, NH**

1. Call Meeting to Order
2. Public Comment
3. Minutes & Proclamations
  - a. Proclamations/Recognitions
4. Approval of Minutes
  - a. January 17<sup>th</sup>, 2017
5. Appointments
6. Discussion/Action Items
  - a. Exeter River Study Committee
  - b. C-Rise Project Update – Rockingham Planning Commission
  - c. 2017 IRS Mileage Rate
  - d. MRI Report Follow Up
7. Regular Business
  - a. Tax, Water/Sewer Abatements & Exemptions
  - b. Permits & Approvals
  - c. Town Manager's Report
  - d. Selectmen's Committee Reports
  - e. Correspondence
8. Review Board Calendar
9. Non-Public Session
10. Adjournment

Daniel Chartrand, Chairman  
Exeter Selectboard

Posted: 1/27/17 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. If you do not make such a request, you may do so with the Town Manager prior to the start of the meeting. No requests will be considered once the meeting has begun.

AGENDA SUBJECT TO CHANGE

Draft Minutes

**Exeter Board of Selectman**

January 17, 2017

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**1. Call Meeting to Order**

Chairman Dan Chartrand called the meeting to order at 6:50 pm in the Nowak Room of the Exeter Town Offices building. Other members present were Vice Chair Julie Gilman, Selectman Don Clement, Selectwoman and Clerk Nancy Belanger and Selectwoman Anne Surman. Town Manager Russell Dean was also present.

**2. Public Comment**

There were no public comments.

**3. Minutes and Proclamations**

There were no proclamations.

**4. Approval of Minutes**

There are four sets of minutes, but the December 19<sup>th</sup> minutes will be delayed because they were not included in the packet.

**December 27, 2016:**

**MOTION:** Selectman Clement moved to accept the minutes as presented, Selectwoman Gilman seconded. The motion passed unanimously.

**January 3, 2017:** Selectwoman Surman explained that under section 7, page 2, insert public before meetings to make "public meeting" and a few lines down add "nonpublic". On page 3, in second line "what really bothers him" just add "Town Manager" here so it is clear who is being spoken about.

**MOTION:** Selectwoman Gilman moved to accept the minutes as amended, Selectwoman Belanger seconded. The motion passed unanimously.

**January 10, 2017:** Selectwoman Surman did not attend this meeting, but she had a few questions. She wondered where the insurance percentage ended up, and it was confirmed at 13%. This number would be added to the minutes.

**MOTION:** Selectwoman Gilman moved to approve the minutes as amended, Selectwoman Belanger seconded. The motion passed 3-0-2 abstentions.

**5. Appointments**

There were no appointments.

**6. Discussion/Action Items**

**a. CDBG Hearing: Avesta Housing/Meeting Place Phase IV**

**MOTION:** Ms. Belanger moved to open the public hearing on Proposed Meeting Place IV Affordable Housing Project CDBG Application, Selectman Clement seconded. The motion passed unanimously.

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for public facility and housing projects, up to \$500,000 for economic development projects and up to \$350,000 for emergency activities. All projects must directly benefit low and moderate income persons. Up to \$12,000 per study is available for Planning Grants.

This is a proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant funds. The Town will subgrant the funds, retaining funds for administrative expenses, to Avesta Housing, or a subsidiary, for the construction of 43 units of affordable housing, Meeting Place IV, at 3 Meeting Place Drive in Exeter. The CDBG funds will finance acquisition costs.

This project conforms with Exeter's Housing and Community Development Plan.

Plan's Goal of: Promote a varied stock of safe, sanitary, decent and affordable housing for persons of all ages and income groups. (Short-term and Long-term goal).

This will bring the number of units to all of the meeting place to 140. Currently there are 71 family units. This will add an additional 43 family units and 26 seniors. The public was asked for public comment, but there were no public comments.

**MOTION:** Belanger moved to close the hearing on the proposed meeting place, CDBG application; Selectwoman Gilman seconded. The motion passed unanimously.

**MOTION:** Selectwoman Belanger moved to open the second public hearing, Selectwoman Gilman seconded. The motion carried unanimously.

Although this project does not involve any displacement or relocation of persons (or businesses), if the Town were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated. The public was asked for public comment, and there were no public comments.

**MOTION:** Selectwoman Belanger moved to close the public hearing, Selectwoman Gilman seconded. The motion passed unanimously.

**MOTION:** Selectwoman Belanger moved to adopt the residential anti displacement and relocation assistant plan, Selectwoman Gilman seconded. The motion passed unanimously.

**MOTION:** Selectwoman Belanger moved to approve the submittal of the application, and vote to authorize the Town Manager to sign and submit the application, and upon approval of the CDBG application, authorize the Town Manager to execute any documents which may be necessary to effectuate the CDBG contract and any amendments thereto. Selectwoman Gilman seconded. The motion passed unanimously.

#### **b. Kingston Road Shoulder Widening Project Update**

Mr. Dean explained this project was approved in 2015, and it was a \$750,000 project. \$600,000 came from a department of transportation grant. They found that there were three alternative plans, Jennifer Perry was here to discuss the problems they ran into. The estimates came in higher than the amount on hand for the project, so all the alternatives will require additional funding. Ms. Perry explained this is a large series of hurdles to jump, it is not surprising the costs came in higher than anticipated. They are very interested in getting sidewalks, as it was mentioned in the warrant article. The numbers were never changed in the grant application to add sidewalks just so that is clear. Ms. Perry said they have talked to the DOT about acquiring additional funds, and there are more funds available but they must continue to make their 20% match obligation. Ms. Perry then went through the options via a PowerPoint presentation. For alternative 2, the sidewalk would only be on one side, in addition to 2.2 miles of shoulder widening. The total estimate for this is \$970,000. The third option total cost was \$1,000,055.

Ms. Perry also wanted to talk about a warrant article that would include a time extension, and if any additional monies would want to be pursued.

Laura Woodbury, 15 Tamarind Lane: Questioned what would happen if the time was not extended, what would happen to the TAP funding. It was confirmed that they would need to then finish by December 2017 or lose the additional money. Ms. Woodbury requested that they choose alternative 3, on the March 2017 ballot they respectfully warrant article 16 to include the additional amount necessary. When the alternatives were proposed to the town there was a consensus among the attending residents that alternative 3 would meet the needs of the residents and the TAP grant. Ms. Woodbury explained that only widening the roadway will not leave an adequate and separate walkway for walkers. She had fears that just widening the road would result in faster drivers and more speeding in this location. There are over 140 households that would be connected in this project as well as the Riverwoods Retirement community. If alternative 1 is chosen, she would like them to perform an official traffic study by the state or a private company. She is concerned about pedestrian safety if this option is chosen.

Gerry Hamel, Little Pine Lane: The shoulder widening of 5 feet, is that going to be 5 feet from existing shoulder or will it be 5 feet from the tar. Ms. Perry said the 5 feet width would be the final width. Gerry also questioned about at Little River, what will happen there. There is nothing there other than bridge. Ms. Perry said there would be no changes to the bridge. Ms. Perry also wanted to say that taking the sidewalks to Tamarind Lane, the Riverwoods community can still get connected to sidewalks, it would be a back way to get there but they could meet up.

Selectman Chartrand brought the conversation back to the Selectboard for discussion. Selectman Clement thanked Ms. Perry for the presentation and Ms. Woodbury for her comments. He attended the public discussion on this matter, to begin with he is lukewarm to the shoulder widening project because he felt there were other priorities they should do besides just widening shoulders. The fact that they were going to be getting \$600,000 made it attractive. He is upset that they missed the mark on the estimate by almost 18%, and it concerns him on all other projects moving forward. Selectman Clement said that because they already proposed a price, and to go back to the voters now for additional up to \$180,000 of tax money to do this concerns him. He has thought long and hard about this, even with the significant cost he thinks the sidewalks are the most important facet to this project. He will probably be very much in favor of putting forward to the warrant article, option 3. Selectman Clement does not want to throw away the grant money, and given all of this he will want to move forward with option 3 but he is concerned about missing targets on cost estimates. He wants them to do a better job of hitting the

targets in the future. Selectwoman Gilman agrees with Selectman Clement on option 3. She is also concerned about the cost adjustments but it is a project that needs to be done. Selectwoman Belanger had a question for Ms. Perry on alternative 2 there would only be a sidewalk on the park side of the road, which is the same for option 3 which was confirmed. She also asked about crosswalk intended locations, Jason Bodet explained that the crosswalk is Riverwoods to White Oak Road. They would build a fully ADA compliant crosswalk at this location. Selectwoman Belanger is concerned about Ernest Ave residents being cut off.

Bill Strubbs from CMA engineers, wanted to know about installing the midblock cross walk because these types of crosswalks need to be signed properly because they are not anticipated. The other locations do not have enough traffic to warrant a crosswalk. Selectwoman Surman asked if Ms. Perry could confirm if this would stay within budget if this was approved. Ms. Perry said that it was difficult developing estimates, and they would work within the new budget. It has been two years since the original estimate was completed. The reality is that it has been a very favorable climate for construction, all projects are coming in higher than 2 years ago, and they are coming right onto prices for 2017. Ms. Perry said without the engineering studies it is very difficult to gauge the prices. Selectman Chartrand is also in favor of alternative 3

**MOTION:** Selectman Chartrand moved to recommend implementing alternative 3, Selectwoman Belanger seconded. The motion passed unanimously.

Selectman Clement said they also need to add this to the warrant later just to make it clear this is not adding it to the warrant.

#### **c. NHDOT Tap Grant: Sidewalks**

This is a formal announcement of the Grant program that they were successful in receiving. David Sharples, Planning Director was instrumental in securing this. They just received notice of this in the past week. Mr. Dean said he is grateful for Mr. Sharples work and the DPW. Mr. Sharples said it is the west side of Epping Road, and the planning board required a sidewalk be put on the frontage of 88 Epping Road. This grant will put a sidewalk up past 88 Epping Road. This will also add a sidewalk to Winter Street where it just ends. Also on Spring Street there are two sections of sidewalks that are missing and this will connect everything. Selectwoman Gilman thanked Mr. Sharples for the work, and asked about the safe routes to school and if those were being funded anymore. Mr. Sharples explained that before TAP came along that existed it has now been melded into one program. Mr. Dean said this is an 80/20 grant, so 80% state and 20% town contribution. Selectman Clement asked if we were sure this would be enough money, because he does not want to get to a point a year from now in order to complete this that they need more money. Mr. Sharples said you are taking unit prices of today and who knows what the future will be, the TAP grants are not quick and every step of the way you need notices to proceed. This project is looking at construction in 2019, but they are trying their best because they will not allow contingencies but they do hold some fund in anticipation that these will take a few years.

#### **d. Public Hearing: FY17 Bonds**

**MOTION:** Selectman Clement moved to open the public hearing on Public Hearing FY17 Bonds, Selectwoman Gilman seconded. The motion passed unanimously.

Mr. Dean explained that there are three bond requests on the warrant. The first is Lincoln Street Phase 2 Improvements, the total on this is 2,802,000. General Fund (1.7 mil), Sewer Fund (932K), Water Fund (168k). Selectman Clement said this is another project and said the work for Daniel Street should have been part of phase 1 but due to cost estimates it was not completed then. After reading through the CIP, Selectman Clement said the general fund money, storm water and storm drainage work. They have had some problems with storm water drainage in this area. People are seeing storm water issues, will this be resolved when this work is completed? Ms. Perry explained that the Lincoln Street watershed is the most impervious watershed the town has. There is very little non-developed area in this location. They have started conceptual design process for this storm water piece because conventional piped solutions will not work here. In a developed sub-watershed this will be very challenging, the question has to be asked what storm are they designing for. Exeter typically designs for the 10-year storm. She felt that no, they would not fix all the problems in this location. Selectman Chartrand asked if this was because the entire area is essentially paved and Ms. Perry explained the locations included in the watershed. Selectman Clement understood this, but he is concerned they are not preparing themselves for the future. He knows this is a challenge but if they don't try to address this in 10-15 years will they be back here with a larger problem. He does not want to miss an opportunity, and do this project right and think ahead 20-30 years. Ms. Perry said they are using the latest approved rainfall estimates and they are working to find novel ways of dealing with this. Mr. Dean commented that if this passes they will be bonding this for a period of 15 years.

Recommending Project: 5-0 recommendation.

The second bond is Total tri-halo Methane Remediation (TTHM) \$1,500,000 from water fund. The town must get into compliance with this regulation. There were no public comments on this item. Selectwoman Surman wondered how do we know that spending all of this money they will in fact mitigate the problem. Ms. Perry explained that one of the aspects of this project that they have to be diligent on is the testing. They are looking at several alternatives and they are working with NH DES closely on this. The DES is asking that they look at another ion exchange process and what they could possibly do to investigate this. Any of these alternatives would be under the \$1,500,000, this number is so high because of the constrained site at the surface water plant. To do the aeration they will need to do a lot of piping to fit the area, this is why they are also looking into alternatives. Selectwoman Gilman is in favor of this one because they have discussed this forever. Selectman Clement said that town government provides a lot of services to citizens, one of the key obligations is to make sure the citizens of this town have good, clean, safe drinking water. This is a real necessity and an obligation. Selectman Chartrand echoed Selectman Clement, providing drinking water is one of the obligations of town government. He also urges the town to vote to pass this along with Selectman Clement.

Recommending Project: 5-0 vote to recommend.

Court Street Culvert Replacement Bridge Construction, \$1,381,000. General Fund (\$1,336,000) and Water Fund (\$45,000). The project details are online, and the construction would begin this summer. They are looking at low cost alternatives, and the cheapest would be to close the road, and divert traffic. It is not going to get any cheaper now is the time to do these projects before interest rates rise. There were no public comments on this project. Selectman Clement commented that they all remember Lincoln Street and it was very well done and good project and is anticipating the same being done over here at Court Street. This is part of infrastructure and necessary to be completed. The bridge is on the

red list and he is hoping that the project can go as smoothly as Linden Street bridge crossing went. Mr. Dean commented for location purposes, this is the crossing adjacent to Bell Avenue.

Recommending Project: 5-0 vote to recommend.

**MOTION:** Selectman Clement moved to close the Bond Hearing, Selectwoman Gilman seconded. The motion passed unanimously.

**MOTION:** Moved to open the Public Hearing on the General Fund, Water and Sewer Budget, Selectwoman Gilman seconded. The motion passed unanimously.

Mr. Dean captured the highlights of the operating budget process and the dates while presenting a PowerPoint presentation. FYI for people watching, January 1<sup>st</sup> was the start of the Fiscal Year. The budget proposal this year is 3.8% increase over FY16 approved budget for \$18,247,317 total. The FY17 health insurance budget is increasing 9.7% which is \$137,476. This budget includes work related to dam removal, library budget increase of \$75,113 for an additional position and funding all human services was included in a line item.

Selectman Chartrand asked that given they received a TAP grant is it a case they should remove a sidewalk money because this is now in a separate warrant article. Mr. Dean said what is in here is the \$120,000 budgeted for sidewalk funding, it is still in the budget. Corey Stevens said the intent of the budget recommendation committee was to use one or the other, use the grant match and remove the \$120,000. Selectman Clement said he was an advocate for putting the \$120,000 as a warrant article but the will of the Board felt it should stay in the budget. He asked the Board to consider instead of taking this out of the budget but they leave around \$15,000 in to have seed money to do any potential repairs that may come in. Selectwoman Surman agreed with Mr. Clement because previously they did away with sidewalks maintenance in the budget and supports it remaining in. Selectwoman Gilman and Belanger supported this as well.

There were no public comments on the operating budget.

**MOTION:** Selectman Clement moved to change 6027505 line item to \$15,000, Selectwoman Surman seconded. The motion passed unanimously.

Selectman Clement under the fire budget, there was a back and forth on adding personnel and in the budget committee meetings there was a motion to move forward with one additional person but in conjunction with that was to reduce some over time money. The Board of Selectmen decided to move forward with not adding another position. Selectman Clement would like to then go back and increase line item 05031300 from 111,431 and he would like to increase it to \$116,431. Selectman Chartrand would support this as well.

**MOTION:** Selectman Clement moved to change line item 05031300 \$116,431, Selectman Chartrand seconded. The motion passed unanimously.

Selectman Chartrand commented that he felt this was fair since the Board chose to wait a year to add personnel to this department.

Solid Waste 6041200 line item reduced by \$9,256, which affects the taxes as well so there are some savings there.

The New default number for the operating budget is \$17,908,273

Recommendation: 18,137,426 and a default of 17,908,273. 3-2 recommendation Clement and Surman in the nay.

Article 10 Water Budget:

FY17 Proposed Budget \$3,308,733 which is an increase of \$11.2%. There were no public comments on this article.

Recommendation: 5-0 recommendation.

Article 11, Sewer Budget:

This is down \$16,000 over last year, resulting in a decrease of .70%. This is temporary because of the upcoming new Wastewater facility. There were no public comments on this article.

Recommendation: Passed with a 5-0 recommendation.

**MOTION:** Selectman Clement moved to close the hearing, Selectman Surman seconded. The motion passed unanimously.

#### **e. 2017 Town Warrant Review**

Selectwoman Surman had a warrant article she wanted to add but didn't feel it should be at the end, so she wanted to discuss this with the Board. Selectwoman Surman handed out her proposed warrant article. Selectman Chartrand felt that counsel should be involved in this, as he has concerns about legality of this. Selectman Clement addressed legality of this, the selectman's authority is to present to town meeting a budget and warrant article. So if this voted and moved to the warrant so this can be discussed and voted on for whether it is added to the warrant. Selectwoman Surman wanted to give background on this which involves the town managers contract. It has nothing to do with our Town Manager. This has to do with Article 44 which passed in 2010 overwhelmingly. This article states that citizens have to vote on multiyear contracts, she wants them to have the opportunity to say yes or no to this contract. The next step for full transparency is for the voters of this town to weigh in, since the Selectman have already approved this by a 3-2 vote. If it passes the will of 2010 will go through, if it fails then it stays the way it is. That is the intent, it is completely neutral.

Selectwoman Belanger, does not have the attorney memo or her notes however she would like town counsel to look at this. This is because in the attorney memo the 2010 citizen petition language lacked specific language regarding compensation. Also, ultimately that if we did this it could rescind a contract they already voted on. She would prefer legal opinion on any potential complications this could cause. Selectman Chartrand the attorney opinion stated it had no binding effect, and the effort to rescind a valid contract which is the only contract they have with the town manager. This could terminate the Town Manager without cause. Selectwoman Surman felt this was incorrect, Selectman Chartrand felt this was the effect of the article. Selectwoman Gilman needs to mull on this for a bit. Selectman Clement said there would always be a question whether counsel or law would make any town warrant article binding. He does not feel this is a rash decision and would like the Board not to attack members for this. Selectman Clement said the public is dismayed about the contract process and the terms. This is just an opportunity to allow the town people a chance to have their opinions heard. Selectwoman Surman, Mr.



Mitchell's opinion is just that an opinion. Which is fine in a court of law, and the whole notion of this has nothing to do with binding a contract. It is going back to transparency and doing what they said they would do for the voters. Selectwoman Surman felt if they believed in the will of the voters the Board would give them this opportunity. This has nothing to do with terminating the town manager. The voters cared about this one, and came to the meeting with comments. Selectman Chartrand felt that ignoring counsel advice was treading dangerous territory. There is no place to go if this contract is overturned, the old contract is gone. In effect this will terminate the Town Manager without cause and give him the option for the severance payout. Selectman Chartrand will vote against this. Selectwoman Gilman understands the intent but it is troubling her that the last line about reopening what they have now is a different topic. This seems to be a second part that is not part of the intent of the 2010 warrant article.

Paul Royal 3 Pumpkin Circle, what is troubling him now is that let's assume the people in town can make a good decision on the contract what troubles him is that the Selectman have acted in good faith but the horse is out of the barn now. He is afraid that this warrant article if it appears will not be treated as it should be. He feels people will vote for it because they felt that their will was not achieved. The net effect of putting this out there, if it's out there and there is anger about it the warrant wouldn't be a referendum on what is happening now. It would be whether they were taken seriously in 2010, he doesn't feel the warrant stands on its own. He is afraid if this appears people will vote for it just to say I told you so. He feels they are taking a risk on this because the net effect of today is not being taken into account.

Selectwoman Gilman addressed Paul Royal, she wanted to be clear on what he was saying. Did he feel this would be a personal warrant item. Mr. Royal problem here is that the majority of people in this town are busy working and life items to be aware of all the intricateness at play here. He feels they may vote to reaffirm their feelings of 2010, rather than appreciate the underlying article at play.

Selectwoman Surman felt this was being taken out of context, everyone is making assumptions on what the next effect will be. There is no axe to grind, this is simply following the 2010 article. Mr. Royal said it is also the citizenry to be well informed, and Selectwoman Surman is extremely well informed so she sees this differently. The general population does not know what is involved and how intricate this is. HE does not want to belittle the voters but he said there is a risk this winds up being a referendum on something happened in 2010 without fully considering the net effect. Selectman Chartrand felt that the reality was that every professional manager or administrative serving around the state all serve under a multi-year contract, if he has to go before town meeting to have his contract approved they would be the only town in the state that requires this. He feels this would create instability and no capable manager would agree to a one year deal and they would have a difficult time recruiting a new manager if required. This contract was entered into in good faith for an exceptional town manager and the majority of this Board feel he continues to do an exceptional job.

**MOTION:** Selectwoman Surman moved to put article 12 on the warrant as written Shall the Town reaffirm the 2010 Citizens Petition, Article 44 which passed 1044 to 678 and established that any multi-year compensation contract with the Town Manager of Exeter shall require the approval of a majority of voters at the Annual Town Meeting, Selectman Clement seconded. The motion failed 2-3, with Chartrand, Gilman and Belanger voting nay.

Mr. Dean then proceeded with the warrant articles presentation.

Article 1: Election of Town Officers

Article 2-4: Zoning Amendments Recommended by the Planning Board.

Article 5-7: Discussed earlier in the meeting and were recommended.

Article 8: Choose Officers

Article 9-11: discussed earlier in the meeting and was recommended.

Article 12: SEIU Agreement which is part of the collective bargaining agreement for current staffing levels. Selectwoman Surman had a few questions on the agreement, what was the stand by program and do other contracts have the sick day provisions of over 8 days. Mr. Dean said they have a call list in public works where there is not a requirement that they respond, and they are not paid to stand by. The department does feel they need 2 people to stand by and they felt to meet the requirements they would need to be compensated for being on call. They have had times where people have not responded, they feel this may be aided by compensation. The sick days portion is in other contracts but it is the first time it's been here in Exeter.

Laura Woodbury, 15 Tamarind Lane: Wanted to know what SEIU stood for, Service Employee International Union and this would be added to the article.

Selectman Clement wanted to know why the general fund tripled due to this contract but not for the water and sewer fund. This was confirmed that it is because of the on-call piece of the contract. Mr. Dean explained these are roll up costs.

Recommendation: 5-0 vote to recommend.

Article 13: Exeter NEPBA Agreement. This is a six-month extension with police.

Recommendation: 5-0 vote to recommend.

Article 14-Epping Road, Spring Street, Winter Street Sidewalks

Mr. Dean felt to be safe this should be extended to 2020. Selectman Clement asked if the TAP grants would allow this, Mr. Staples confirmed this would be acceptable because there are many slowdowns in the process and the best-case scenario is 2019.

**MOTION:** Selectman Chartrand moved to amended 2019 to 2020, Selectwoman Belanger seconded. The motion passed unanimously.

Charlie Knott, 15 Tamarind Way: The wording in the article states until the project is completed or 2019 whichever is later. He felt like it didn't lapse anyway. It was confirmed he was correct.

Recommendation: 5-0 vote to recommend.

Article 15: Extend Kingston Road Shoulder Project Deadline

This is to extend from December 31, 2017 to December 31, 2020, Mr. Dean also said they could also not put a date and just say by this "date or project completion, whichever is later". Selectman Clement said they are required to do this per RSA 32:7.

Recommendation: 5-0 vote to recommend.

#### Article 16: Additional Funds Kingston Road Shoulders

This is to raise and appropriate an additional \$305,000 with \$185,000 to be raised by taxation and \$120,000 by NHDOT approved grant funds.

Laura Woodbury, 15 Tamarind Lane: Asked if the last statement about needing article 15 to pass as well, was required. It was confirmed it needed to stay. Selectman Clement said if article 15 fails for whatever reason could they still get all the Kingston work done by the end of 2017. As he talked it out loud he realized it couldn't because of funding.

Recommendation: 5-0 vote to recommend.

#### Article 17: Town Hall Improvements

Mr. Dean said this was asked about at the previous meeting, and is for code compliant fire rated staircases, etc. Selectman Clement thought it was determined that the \$100,000 was not going to be enough money. Ms. Perry said this was correct, because prior estimates indicated \$130-135,000 needed for this project. They did receive an updated cost estimate in December from one contractor and that was \$131,597. The department would recommend \$130,000.

**MOTION:** Selectwoman Belanger moved to amend Article 17 from 100,000 to 130,000, Selectwoman Gilman seconded. The motion passed 4-1 (Selectwoman Surman in the nay)

**DISCUSSION:** Selectwoman Gilman asked why this was reduced to \$100,000 and Mr. Dean explained they were hoping to use in house labor to reduce costs rather than get it done in one shot by contractor. But they now have a cost estimate of out of house costs and in house estimates and it is still \$130,000. Selectman Clement referred to the CIP, and wanted confirmation that the bathroom was removed from this and it was confirmed that yes it was. Ms. Perry wanted to clarify this had not been before the voters in the past, it has never been taken to a warrant article.

Recommendation: 3-2 vote to recommend, Selectman Clement and Selectwoman Surman voting nay.

#### Article 18 Washington Street Water Line

This is Water line replacement from Front Street to Brentwood Road. This will design the project, and they will be back for appropriation of funds in 2018.

Recommendation: 5-0 vote to recommend.

#### Article 19

Recommendation: 5-0 vote to recommend.

#### Article 20 Snow and Ice

Recommendation: 5-0 vote to recommend.

#### Article 21 Highway Department Dump Truck Lease/Purchase

Recommendation: 5-0 vote to recommend.

#### Article 22 Highway Department Backhoe Lease/Purchase

Recommendation: 5-0 vote to recommend.

#### Article 23 Name Board of Selectman as Cemetery Trustees Pursuant to RSA 289:6

Selectwoman Gilman said they have small plots around town that nobody is aware of or take care of. This will allow them to put money aside to do this.

Recommendation: 5-0 vote to recommend.

#### Article 24 Citizens Petition

Mr. Dean said there was one citizen this year from Mr. Royal, he is seeking to have the winter parking ordinance changed to be different then current regulations.

Paul Royal 3 Pumpkin Circle appeared before the Board, and read a statement on this article. He is asking to eliminate the blanket winter barking ban because it was probably implemented prior to the internet and the other ways to communicate that people should not be parking on the street. Snow Emergencies are declared effectively in other locations, such as Portsmouth. He has had a very positive response to his article while seeking resident signatures. Instead of going along with what other towns do, he submits that Exeter can lead the way and use a more thoughtful and modern approach. He purposely constructed his article to not be overly constrictive. So that perhaps the Selectboard, Police, Fire and DPW may have the time and options to implementing a snow emergency policy. Ms. Perry said she knows this a very unpopular situation and she can almost guarantee that he will get a lot of support. The challenge is that a town like Exeter with old narrow streets, the equipment can't pass easily. It isn't always a snow plow situation; it is salt or sand as well. This can become a safety hazard for the town. The other problem is they also use the larger trucks to do this job and this could require an overhaul of the equipment used. This would also result in parking only being allowed on one side of the street. There would be an increase in damages caused by town vehicles. It is also hard to judge the weather forecast as they can be incorrect, the snow emergency would have to be called earlier in the day and an evening storm can change at the last minute. She understands this is an inconvenience, but she feels this best serves the town.

Chief Police: Appreciates Mr. Royal's comments and concerns on this. His department has the ugly job of enforcing this. There are officers that see Mr. Royal's side of this but they must make sure the highway department can do their job without obstructions. It is hard to use discretion and also maintain consistency so people don't have to be left guessing.

This article is a petition with no money attached so the Board will not be offering a recommendation on this.

This goes to deliberative session on February 4<sup>th</sup> at 9AM.

## **7. Regular Business**

### **a. Tax, Water/Sewer Abatements & Exemptions**

**MOTION:** Selectwoman Belanger moved to grant map 68/lot 6/unit 428, 68/6/735, 73/49/46 52/105 68/6/113, 72/175. 80/1, 73/49/50, 104/84 all in the amount of \$500, Selectman Clement Seconded. The motion passed unanimously.

**MOITON:** Selectwoman Belanger moved to grant 95/64/388 in the amount of \$2000, Selectman Clement seconded. The motion passed unanimously.

**MOTION:** Selectwoman Belanger moved to grant 52/104 in the amount of \$2000 Selectman Clement seconded. The motion passed unanimously.

**MOTION:** Selectwoman Belanger moved to grant 65/89 in the amount of \$1000, Selectman Clement seconded. The motion passed unanimously.

### **b. Permits & Approvals**

There were none

### **c. Town Managers Report**

Will be held off onto the next meeting.

### **d. Select Board Committee Reports**

Selectwoman Gilman said they went over the LCHIP grant for cemetery at the Heritage Committee meeting. There will be an interview committee for the proposals on this project. They also talked about the area survey of Park Street area.

Selectwoman Gilman is on the Municipal County Government Committee and they have 80 bills to go through between now and the end of March. She would like to publish in the packet or here for the public when all the committees are meeting. Mr. Dean said Exeter is fortunate that Selectwoman Gilman is part of this committee and would be amendable to adding this information to the packet.

Selectman Clement said the planning board met last week and they moved forward the zoning articles. The E911 committee met and it was organizational and there is a lot moving forward here.

Selectwoman Surman said the Conservation Commission met last week, and a representative from C-Rise was there who will also appear before this Board to provide more information. They spent most of the meeting getting ready for the land use board meeting. Ginny Raub did a fabulous job. The Snowshoe at the Raynes Farm Property will be on February 10<sup>th</sup>. They are trying to do a signup due to parking issues. They were also involved with a lot line adjustment with Stratham.

Selectwoman Gilman forgot to mention the All Boards meeting that was last week. There was a reworking of the Master Plan, they broke into small groups to discuss this. From that was the first real public discussion on the master plan. They sent out questionnaire to every Board and Commission to get the conversation going. Looking forward to the January 25<sup>th</sup> meeting on this.

**e. Correspondence**

Letter from the Court Appointed Special Advocate thanking for human services donation.

Letter to Jennifer Perry – this is the wetlands permit for the Waste Water Facility from the Department of Environmental Services.

**8. Board Interviews: Historic District Commission**

Nicholas Gray, 4 Moore Lane is applying for multiple commissions and Boards. He recently completed school in California, his long-term goal is to find more local work and remain living in Exeter. He is working in East Hartford and not afraid of commuting. He will be in Exeter 4-5 Nights a week. He is looking for a Historic District Commission, alternative spot on planning Board. Selectwoman Gilman thanked him for his interest but these two land use Boards and he cannot serve on both. Selectwoman Belanger is impressed that he is so interested in three Boards and thanked him for stepping forward. Selectwoman Surman said this was an ambitious undertaking and was glad to have him aboard. Selectman Clement stated that the planning board meets twice a month and the HDC meets once a month in case it plays into his aggressive work schedule. Selectman Clement said he would provide insight and a new perspective and would well serve. Mr. Gray said it is his pleasure to do this, and he hopes to inspire other young people to join as well. Selectman Chartrand thanked Mr. Gray for his application.

**9. Review Board Calendar**

Selectman Chartrand said there is a Master Plan Input Session from 6:3-8:30PM at the high school.

Board Meeting Monday, January 30<sup>th</sup> 7:00PM

Deliberative Session, February 4<sup>th</sup> at 9AM.

**10. Non Public Session**

There was no nonpublic session.

**11. Adjournment**

Selectwoman Belanger motioned to adjourn, seconded by Selectwoman Gilman. The Board stood adjourned at 10:10PM.

Respectfully Submitted,

Jennifer Dionne, Recording Secretary

Appointments – January 30<sup>th</sup>, 2017

Nicholas Gray – Planning Board Alternate Member, term to expire April 30<sup>th</sup>, 2018

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# TOWN OF EXETER, NEW HAMPSHIRE

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

[www.exeternh.gov](http://www.exeternh.gov)

24 January 2017

To the Exeter Board of Selectmen,

Below are recommendations from the Exeter River Committee regarding its membership and charge.

According to the Exeter Board of Selectmen letter of September 2, 2004 (attached), the Exeter River Advisory Committee was established to have a membership of twelve: a selectman (chairman), three citizens, the Water and Sewer Superintendent, the Town Engineer, the Fire Chief, and a representative each from the Conservation Commission, Planning Board, Water and Sewer Advisory Committee, Phillips Exeter Academy, and The Mill. All but the selectman and the three citizens were ex officio.

ERLAC was expected to have a liaison to the committee. This task has generally been assumed by the representative of the Conservation Commission.

The Water and Sewer Superintendent, the representative of the Water and Sewer Advisory Commission, and the Mill representative have never participated. The Fire Chief was excused from participation unless directly involved in an agenda item.

Over time the membership has become, in accordance with the Town website and committee functioning:

six citizens, a selectman, the Town Engineer, the Natural Resource Planner, and a representative each from the Water and Sewer Advisory Committee, Phillips Exeter Academy, and the Conservation Commission.

**The Committee recommends** that the membership be changed to the following:

four citizens, two alternate citizens, a selectman, the Town Engineer, the Natural Resource Planner, and a representative each from the Water and Sewer Advisory Committee, Phillips Exeter Academy, and Conservation Commission.

An alternate citizen would be a voting member when a regular citizen member is absent.

**Additionally, the Committee recommends** that the selectman be a full voting member and representatives from Phillips Exeter Academy, the Conservation Commission, and the Water and Sewer Advisory Committee be full voting members, when they are Town citizens.

**Furthermore, the Committee recommends** that the charge be changed to include, as intended, the entire river and watershed within Exeter's town limits. The reference to the Exeter River would read the Exeter and Squamscott River. While the DES uses the term Exeter River to include both rivers, many others think in terms of two rivers, one tidal and the other not. The title of the committee should be



changed from the Exeter River Advisory Committee to the River Advisory Committee. This would reflect current usage and avoid any confusion that the Committee's charge extends to the Squamscott.

Otherwise, the broad charge in the selectmen's letter of September 2, 2004 would remain unchanged.

Lionel Ingram  
Chair, Exeter River Advisory Committee

Current Membership, as on the Town's website:

Lionel Ingram, Chair	2017	Vacant, W/S Rep.
Rod Bourdon	2017	Roger Wakeman, PEA Rep. Ex-Officio
Terrie Harman	2019	Kristen Murphy, Natural Resource Planner Ex-Officio
Vacant	2019	Paul Vlasich, DPW Rep. Ex-Officio
Richard Huber	2018	Ginny Raub, Conservation Commission Rep. Ex-Officio
Vacant	2018	Don Clement, BOS Rep. Term



# TOWN OF EXETER

10 FRONT STREET EXETER, NH 03833-2792 (603) 778-0591 FAX 772-4709  
[www.exeternh.org](http://www.exeternh.org)

September 2, 2004

TO: Members of the Exeter River Advisory Committee

At the Exeter Board of Selectmen's meeting of August 16, the Board voted to establish the Exeter River Advisory Committee. The Committee is being formed to advise the Board of Selectmen on River related issues ranging from flooding to water quality. The Committee's charge, as unanimously voted by the Board, is as follows:

*A 12-person committee charged with providing advise to the Board of Selectmen in all matters relating to the management of the Exeter River, its tributaries and watershed including, but not limited to, flood control, public and private water supplies, land use environmental habitat, water use, recreation, public safety and water quality"*


The Board further voted to establish a Committee membership to include a Selectman (as Chairman), three citizens, the Water and Sewer Superintendent, the Town Engineer, the Fire Chief, and a representative each from the Conservation Commission, Planning Board, Water and Sewer Advisory Committee, Phillips Exeter Academy and The Mill.

Sincerely,

William Campbell, Chairman  
Exeter Board of Selectmen

:gno

**TOWN OF EXETER  
MEMORANDUM**

TO: Board of Selectmen  
FROM: Town Manager   
RE: River Study Committee  
DATE: December 19<sup>th</sup>, 2016

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The River Study Committee discussed the composition of their committee at their meeting on December 1<sup>st</sup>. As a result the Chairman has asked that 2 members of the committee be appointed to regular member positions and the "ex officio" status of these positions be eliminated.

The intent of this is for Ms. Raub to be appointed to the vacant position with a term expiring 4/30/19, and Mr. Wakeman would be appointed to Mr. Ferraro's spot expiring 4/30/18, since he is no longer sitting on the committee.

If this change is approved by the Board, my understanding is the 2 positions of PEA and Concom with "ex officio" status will be eliminated reducing the committee to 10 members.

<b>Member</b>	<b>Term</b>	<b>Member</b>	<b>Term</b>
Lionel Ingram, Chair	2017	Vacant, W/S Rep.	
Rod Bourdon	2017	Roger Wakeman, PEA Rep.	Ex-Officio
Terrie Harman	2019	Kristen Murphy, Natural Resource Planner	Ex-Officio
Vacant	2019	Paul Vlasich, DPW Rep.	Ex-Officio
Richard Huber	2018	Ginny Raub, Conservation Commission Rep.	Ex-Officio
Frank Ferraro	2018	Don Clement, BOS Rep.	Term

December 13, 2016

Dear Select Board,

At the November River Study Committee meeting, Chairman Lionel Ingram felt in reviewing the membership of the Committee the two ex-officio positions of the Conservation Committee and the Academy were no longer necessary as the dam removal project nears completion. As the Conservation Commission representative, he asked if I would be willing to stay on with the Committee but as a regular member. If so he suggested I submit a letter to this Board asking for an appointment to the Committee.

For a number of years I have attended, voted and participated in the activities of the Study group and would like to continue working with the Committee as a member of this advisory group on matters of management for the Exeter and Squamscott Rivers.

I welcome the opportunity to continue with this group and would appreciate your consideration for an appointment to the River Study Committee.

Thanking you in advance for your consideration,



Virginia Raub



# TOWN OF EXETER

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The Board further voted to establish a Committee membership to include a Selectman (as Chairman), three citizens, the Water and Sewer Superintendent, the Town Engineer, the Fire Chief, and a representative each from the Conservation Commission, Planning Board, Water and Sewer Advisory Committee, Phillips Exeter Academy and The Mill.

Sincerely,

William Campbell, Chairman  
Exeter Board of Selectmen

:gno



# TOWN OF EXETER, NEW HAMPSHIRE

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[www.exeternh.gov](http://www.exeternh.gov)

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## INTEROFFICE MEMORANDUM

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**TO:** EXETER BOARD OF SELECTMEN  
**FROM:** DOREEN RAVELL  
**SUBJECT:** RECOMMENDATION TO CHANGE TOWN MILEAGE REIMBURSEMENT RATE  
AND TO ADOPT A POLICY FOR THE IRS STANDARD MILEAGE RATE  
**DATE:** JANUARY 30, 2017  
**CC:** RUSS DEAN

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The Town of Exeter currently reimburses employee business-related mileage at the 2014 IRS mileage reimbursement rate of 56.5 cents per mile. On Jan. 1, 2017, the IRS standard mileage rate for the use of a car (also vans, pickups or panel trucks) changed to 53.5 cents per mile for business miles driven. The standard mileage rate for business is based on an annual study of the fixed and variable costs of operating an automobile.

Based upon a NHGFOA survey taken in April 2013, the majority of NH Towns/Cities reimburse employee business related mileage at the current IRS standard mileage in effect. It is my recommendation for the Town of Exeter to adopt the current IRS standard mileage rate of 53.5 effective as of January 30, 2017. Furthermore, it is recommended the Exeter Board of Selectmen adopt a policy to update the mileage reimbursement rate at least annually each year in January in accordance with the Federal (IRS) standard mileage rate. The Selectman and all Town employees would be notified of the change each year by the Finance Department and the new IRS standard mileage rate would take effect automatically every January.



# TOWN OF EXETER

## Planning and Building Department

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

[www.exeternh.gov](http://www.exeternh.gov)

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**Date:** November 15, 2016  
**To:** Russ Dean, Town Manager  
**From:** Dave Sharples, Town Planner  
**Re:** October 2015 MRI Report

I am writing this memorandum in response to your request for a review of the October 2015 MRI report to determine the status of the recommendations set forth in the report. There are a total of eleven recommendations listed in the report. I list each of these below followed by a brief analysis of what has been done to date.

**Recommendation:** *The Town needs to recognize the importance of Planning (the 30,000 foot view) VS Regulation (the 100 foot view) as they move into the future and ensure that the next Town Planner is capable of operating at both levels so that regulation does not outpace planning (or vice versa).*

**Analysis:** The Town is updating the Master Plan which is the first step in planning for the future and is a document that sets forth a overall vision for the town at the "30,000 foot view". This recommendation is currently, and should always be, a focus.

**Recommendation:** *There desperately needs to be a lead person assigned to ensure that the site plan review and approval process is effectively coordinated such that that the calendars for the Planning Board & Conservation Commission Tech Review, peer review and other advisory roles are properly sequenced. The site plan approval / application process should start with a critique and flow chart for each new project. This decision should be driven, in part by the talent pool available to fill the Town Planner position; the selection process should be conducted with an eye towards reorganizing and restructuring.*

**Analysis:** A new flow chart was created outlining the development review process. The Technical Review Committee calendar was revised to allow for a more efficient application process and potentially reduce Planning Board meetings. It appears that recent development proposals are moving through the process efficiently and allowing time for adequate review by the various Boards, Commissions, and staff. This should be an ongoing goal as ensuring an efficient and predictable review process is important for all parties involved.

**Recommendation:** *In the near term the regulatory review and approval process needs to be better defined and clearly documented with the roles &*



***responsibilities of the staff & volunteers clarified in order to reduce ambiguity and improve predictability for developer and project proponents.***

Analysis: A new flow chart was created and the Site Plan and Subdivision Regulations have been amended addressing the review and approval process. The Town Planner and Town Engineer are now involved with any plan changes that do not require Planning Board approval. The Planner and Engineer are now involved in the Certificate of Occupancy process to insure projects are being built in accordance with the approvals. The schedule of the Technical Review Committee (TRC) was adjusted to be more compatible with the Planning Board meeting dates to allow for sufficient staff review prior to Planning Board review to reduce the overall time for an application to move through the process. The TRC process was modified so all comments are contained in one letter instead of multiple letters/emails from the various departments. This allows the applicant to respond to one staff letter where all comments are incorporated. While there has been progress as described above to address this recommendation, defining roles and responsibilities of staff and volunteers is an ongoing goal and will be reevaluated with an eye toward continual improvement.

Recommendation: ***The Selectmen and Town Manager should coordinate with the Planning Board to initiate an effort to update and repackage the Master Plan in a way that it will be a more useful tool and guidebook for municipal management and decision making. They should emphasize the importance of incorporating more meaningful data driven goals and objectives (demographics, economic, financial, market, and physical), assignment of responsibilities for implementation and measurable outcomes.***

Analysis: The Town is currently in the process of updating the Master Plan. The Steering Committee and staff has met with the consultant and is repackaging the Master Plan as described above with data driven goals, assignment of responsibility, and making it a more "user friendly" document.

Recommendation: ***There needs to be a concerted effort to introduce an expanded notion of coordination and collaboration into the culture at the staff and volunteer level – perhaps incorporating President Reagan’s view of “trust but verify”.***

Analysis: To the best of my knowledge, this recommendation has not been fully explored. However, there is a concerted effort toward better coordination with the land use boards and staff as evidenced by other implementation actions that have been taken under other recommendations (i.e. "All Boards meetings, TRC coordination, etc.).

Recommendation: ***The staff involved in the community development process currently operate in independent silos rather than as an integrated system with several individuals reporting directly to the Town Manager. It’s a solid group with plenty of talent that needs to be structured for follow-thru and coordination so we recommend that they be organized under a single Department Director who reports directly to the Town Manager. This should improve coordination, cooperation, consistency and accountability.***

Analysis: To the best of my knowledge, this recommendation has not been explored.

**Recommendation: The relatively recent effort to become more “business friendly” seems to have developed quickly and has resulted in concern about abandoning concerns for preservation and protection in return for tax base. It would be advisable to focus the energies of the Economic Development Director on developing a written plan of action that can be vetted by the Board of Selectmen and shared and discussed with the community instead of maintaining an aggressive implementation effort that seemingly has no parameters of measures for success built in. From the outside, it seems that the focus on economic development effort is contributing significantly to a sense of unease bordering on mistrust in some segments of the community and it makes sense to slow down enough to produce a plan and provide an opportunity for additional community discussion and, hopefully, some buy-in, even knowing that there will always be opposition. The Town Manager should initiate creation of an Economic Development Plan and Strategy that results in preliminary data driven area plans for Epping Road, Portsmouth Avenue, and the Village / Downtown area.**

**Analysis:** The Economic Development Director is working on an Economic Development Strategic Plan and is working with staff to coordinate this effort with the current Master Plan update.

**Recommendation: As the appointing authority the Board of Selectmen have the right and responsibility to select volunteers to represent the various land use boards and committees. It is incumbent upon them to select candidates that can approach the roles with an open mind and conduct the affairs of the Town with evenhandedness, fairness and respect. The Selectmen should set written expectations for volunteer service on each Board and Committee that they appoint. Requirements should include a commitment to such things as objectivity, open minded, respectful participation, a willingness to learn, and sufficient time to be available for training and meetings. The BOS should require participation in training as a condition of appointment / reappointment and include the cost in their budget.**

**Analysis:** I am unaware of any written policy regarding the appointment of volunteers.

**Recommendation: The Board of Selectmen should task the Town Manager to take the steps necessary to refine and better structure and define the community development and planning / approval process: a. Define staff roles and clarify responsibilities b. Establish a point person to coordinate c. Reset priorities to emphasize collaboration and assistance d. Set performance measures – example: all 65 day waivers to be reviewed by Board of Selectmen and conduct 3 annual focus group sessions: one with a representative group of applicants; the second with a representative group of board / commission volunteers and; the third with the staff, to discuss problems, issues and opportunities for improvement.**

**Analysis:** I am unaware that the BOS have tasked the Town Manager to implement this recommendation. The planning department no longer has the 65 day waivers in the application so I believe that part of the recommendation is moot.

Recommendation: ***The Board of Selectmen should convene a meeting of all board and committee volunteers and their support staff to explain and address questions and concerns about the desire for better coordination and communication, and focus on the need for a more responsive, user friendly approach.***

Analysis: Several "All Boards" meetings have taken place to date.

Recommendation: ***The Board of Selectmen and Town Manager should establish a Community Development Coordinating Committee consisting of the Chairs of all board and committees involved in community and economic development along with the Board of Selectman Chair, the Town Manager and the Tech Review staff members. Meetings should occur at least quarterly for the purpose of establishing and maintaining open communication, identification and discussion of community development opportunities and challenges, and identification of needs for and ways to refine and enhance the community development process.***

Analysis: This recommendation has yet to be implemented. I am unaware of any discussion regarding this strategy. It would be prudent to discuss this at some point in the near future to determine if forming such a committee would be beneficial to the process.

Thank you

enc (5)

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**Town of Exeter, NH**

**Planning and  
Community Development System  
Review, Analysis  
and Recommendations**

**October 2015**

Prepared by  
Municipal Resources, Inc.  
120 Daniel Webster Highway  
Meredith, NH 03253  
Tel: 603.279.0352  
[www.mrigov.com](http://www.mrigov.com)



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**Planning and Community Development System**  
**Review, Analysis and Recommendations**  
**Town of Exeter, NH**

**October 2015**

**Overview**

This report is the product of our review of the planning and community development operations of the Town of Exeter.

MRI was engaged to conduct an outside review and assessment of the Town's Community Development and Land Use Regulatory Operations, and to make recommendations regarding the management set-up, organizational structure and staffing approach to best meet the service levels and support expectations of the various elected, appointed and volunteer officials involved with the process and ensure a responsive, efficient and customer service orientated system for residents, property owners, and developers.

Situated at the junction of NH Route 101 and I95, Exeter is a quintessential New England community with a beautiful village center dominated by many historic homes and Phillips Exeter Academy, an attractive, but somewhat tattered, downtown area bordering the Exeter River and a comfortable rural residential character. Given its location within the NH seacoast region and with easy access to metro Boston, Exeter faces significant potential growth and development opportunities and challenges in the coming years and must seek to strike a viable long-term balance between protection and preservation on one hand and economic growth and sustainability on the other.

Exeter has done much to preserve and protect its physical environment over the past 2 or 3 decades; however, a focus on efforts to regulate and control development has outpaced planning activity. Exeter now finds itself, like many communities, facing questions about growth, financial capacity and long term sustainability without a foundational plan in place to guide and balance community and economic development activity. The Town is increasingly constrained by tax base limitations and suffers from a perception as being somewhat unfriendly towards business and development with some developers and property owners. It has become increasingly challenging for the Town's elected and appointed officials and staff to chart a course of action without a clear common vision or definitive plan to pursue realignment and

rebalance itself in the regional market where it must compete for desirable growth and development to effect tax base expansion.

Recent efforts by the Town to refocus on economic development activity have been undertaken with little consideration to the fact that the Town's Master Plan (the theoretical tool for guiding growth) is little used and seriously out of date and that there is no formal economic development plan or strategy in place. Consequently, the effort to advance positive, responsible economic development has met with both support and apprehension. This is evident in the Epping Road TIF District which was handily approved at the same Town Meeting that rejected proposed wetland ordinance changes that were, at least in part, tied to advancing new development within the TIF District. In addition, the role of the new Economic Development Director has been the focus of a fair amount of controversy and debate which is clearly exacerbated by the lack of a clear plan or strategy against which performance can be monitored and measured; the result is that the debate begins to focus on the person in the job rather than the job itself.

In our view it would be best to focus near term energy on development on a written economic development plan, prepared in the context of a creating a Master Plan chapter for economic and financial sustainability.

The goal of this review was to compare the authorities assigned by statute, local ordinances, regulations and policy with the actual structure, staffing, implementation, operations, and responsiveness of the present "community development system". This report also presents some ideas for actions the Town may wish to consider and adopt in order to improve the responsiveness and overall effectiveness of these activities.

This report is designed to be a useful planning and decision document for citizens and elected officials who may not be experts in these fields, but are responsible for making the key decisions which will set the future course of these activities to meet current and future challenges.

Our work involved an on-line survey of the volunteers involved in the land use process for the Town along with review of the enabling documents and legislation, interviews or phone conversations with each of the staff persons, the Selectmen, representatives of the Boards and Commissions involved in land use regulation, a number of recent applicants and professional project / developer proponents. Throughout, careful attention was paid to the degree of responsiveness to the public and the degree of cooperation and coordination with which the staff went about their daily activities.

There are so many ways in which the public interacts with planning, zoning, and permitting activities that it is difficult to effectively evaluate and address various detailed situations and





individual concerns in a report of this type. However, we hope that a report of this nature can provide a valuable initial and continuing evaluation tool for the responsible parties by setting forth a general overview of planning, land use and community development activities to which a more detailed review of the actual implementation of these activities in Exeter can be compared. In fact, even our recommendations can be compared with this baseline and we hope they will be.

Throughout the work we were impressed by the attitude and level of cooperation which we received from the various individuals and organizations involved in plan review, permitting, and code enforcement. Clearly there has been a sincere effort over the past months to develop and improve that coordination. However, we believe that the substance of these activities can be improved through a more consolidated management and coordination of the various activities. We also believe that the planning activities can be more focused to applied planning, i.e. planning for economic and community development rather than in developing more detailed and complicated ordinances.

Accordingly, in addition to the "do-nothing" or "leave everything as it is" option, we present two other options for improving the overall value and responsiveness of these activities for the community. One of these would complete the organization by filling the position of Town Planner with the intention of modifying the role so the selected person functions as Director of Planning with clearly designated responsibility to coordinate the land use regulatory approval process as their primary function. The second, and the one which we recommend, is to recognize the commonalties and interrelationships in permit / plan review, code enforcement, as well as the community development elements that are found in the Department of Public Works and the Economic Development function and establish the position of Community Development Manager to oversee, direct, coordinate and manage the activities currently vested separately in Planning, Code Enforcement, Department of Public Works and Economic Development.

We hope that, as the reader digests this report, the rationale for implementing this option becomes clear; however, and perhaps more importantly, we hope that this report will provide the basis for the evaluation of any and all options which may flow from constructive discussions of this work.

### **Scope of Study**

This report is the product of a review of the planning and community development operations of the Town of Exeter, NH. The goals of this review were to compare the authorities assigned by statute, and local ordinances and policy with the actual structure, staffing, and operations of the Planning and Land Use activities, evaluate areas of potential coordination and cooperation



of the various activities, compare the existing structure with alternative models as well as industry standards and conventions and make recommendations for future actions.

## **Methodology**

MRI utilizes a team approach in all its studies. In this case the team included Donald Jutton as Project Manager and Carol Ogilvie, Senior Planning Associate.

Mr. Jutton has more than 35 years' experience in local government operations and community development positions. He holds master's degrees in Community & Economic Development and a bachelor's degree in Planning & Management. He founded MRI in 1989 and has served as Senior Consultant on more than 350 consulting engagements over the years. Mr. Jutton has a broad government management and operations background, having served as Manager in Meredith, Littleton, Salem and Wakefield, New Hampshire. While maintaining a strong working knowledge of local government process and organizational planning, the primary emphasis of his work has been in the area of creative community & economic development and pursuit of systemic change in management and delivery of core community services. He is noted for continually challenging client communities to rethink traditional approaches and explore innovative alternatives to service delivery, emphasizing collaborations and partnerships that expand conventional thinking and extend to all corners of the community. Mr. Jutton has overseen and managed more than 100 organizational and operational assessments of local government departments and operating units in the past 20 years.

Carol Ogilvie is a graduate of Keene State College with a BA in Sociology and holds a Master's Degree from Kent State University in Policy Planning. She recently retired from the Town of Peterborough, NH, after more than 10 years as the Community Development Director. Ms. Ogilvie has more than 25 years of experience in local, regional, and state government, with a focus on town land use planning, as well as economic and community development. Prior to her role in Peterborough, Ms. Ogilvie was employed for 14 years with the Southwest Regional Planning Commission in Keene, NH, a planning agency serving 35 towns, where she provided planning and zoning assistance to local boards, and was involved in the development of numerous local master plans, hazard mitigation plans, and the drafting of model regulations for subdivision, site plan review, and earth excavations. In addition, Ms. Ogilvie regularly provides training for planning and zoning board; has taught the class on the Selectmen's Role in Planning and Zoning for the annual Antioch NE Selectmen's Institute since its inception in 1999; and is an Adjunct Professor at Antioch New England in Keene, NH, where she teaches a course in Land Use and Community Planning.



## **Exeter Governance Model**

The Town has adopted the Town Manager form of Government, utilizing the Australian Ballot (SB2) Town Meeting process. A five member Selectmen serve staggered 3 year terms of office and the Chair, who is elected by the Board, presides at Selectmen meetings and generally serves as the ceremonial head of the Town. The Board of Selectmen appoints the Town Manager and makes appointments to the Planning Board, Zoning Board of Adjustment, Conservation Commission, Heritage Commission and the Historic District Commission. All administrative duties and responsibilities prescribed by the general statutes, or required to be carried out by the policies set by the Selectmen or ordinance established by Town Meeting are generally exercised by the Town Manager, who coordinates and consults with the Selectmen as required to ensure smoothly running management structure.

## **Overview of Town Demographics**

The town consists of 20 square miles and had a population of approximately 14,306 at the 2010 census. There were 6,114 households with 29% having children under the age of 18. The median age is 44.3 years compared to the state average of 41.1 years and median annual income for a household in the town was \$68,777 compared to the state median household income of \$64,916. The 2014 tax rate was \$26.06 which is ranked 130 of 234 communities in NH.

*Data from US Census Bureau QuickFacts & Town-Data.com*

## **Planning, Zoning, Land Use Regulation, Code Enforcement & Economic Development: A General Overview**

For the purposes of this report the functions of planning, zoning, land use regulation, code enforcement and economic development will be considered the Community Development System for the Town of Exeter. These operational elements of Exeter's municipal government present themselves in many manifestations to the various interests and individuals in a community. While there are substantial differences between these functions and activities, there are many points of overlap and intersection as well. These differences include how planning is undertaken and utilized in decision making, how land use rules and regulations are developed and implemented, which level of government makes what decisions, and how and to whom appeals are funneled when, for one reason or another, the needs, desires or action of the citizen applicant does not quite fit nicely into a pigeon hole of the law, rule or regulation. There are also differences in how the various decision bodies are constituted and how much latitude is afforded them in making their decisions. Therefore, it is important to start out with a basic understanding of the roles and responsibilities of the various functions within the system.



In Exeter there are 7 operational elements involved in the Community Development System although only 5 are official bodies recognized in state statute; the Economic Development Commission is a locally created standing committee:

- 1) The Planning Board
- 2) Zoning and Building Codes
- 3) The Zoning Board of Adjustment
- 4) The Conservation Commission
- 5) The Heritage Commission
- 6) The Historic District Commission
- 7) Economic Development Commission

**The Planning Board** in Exeter is appointed by the Board of Selectmen and has planning responsibilities and regulatory authority, both of which are defined in state statute. While primarily responsible for establishing a vision to guide development and land use within the community through the development and maintenance of a master plan, the Planning Board is also charged with the promotion of planning, the recommendation of programs designed to carry out the elements of the plan and making recommendations concerning zoning ordinances and a zoning map. Their mandate also incorporates consideration of such potential topics as economic development, historic properties, community heritage, the protection and conservation of natural resources and capital improvement planning.

The Planning Board's regulatory or enforcement powers stem from their planning activities, but are most specifically associated with site plan reviews required by the zoning ordinance and the grant of authority to control the development and subdivision of land. Zoning and subdivision powers become effective after they have been adopted and granted, respectively, by the governing body (Town Meeting) of the community. From these delegations, a planning board itself has the authority to develop and adopt subdivision and site development regulations.

The zoning ordinance may also require that development plans which incorporate certain land uses and/or specified special conditions must be approved by the Planning Board. In this instance the Planning Board must develop regulations which serve to provide guidance and direction to those who wish to secure approval. Site plan review regulations address standards for presentation of plans for specific development activity. Subdivision regulations deal with the subdivision of land. Both can be heavily laden with construction requirements and engineering details dealing with roads, utilities, drainage, traffic flow, landforms and physical conditions, as well as easements and condominium agreements. Typically the professional staff of the municipality works with the developer/applicant to address the technical issues and ensure that the plans which are submitted for review and approval by the Planning Board comply with local and state rules and regulations.

The Town Planner, with assistance from other professional staff of the Town and outside consultants (as determined necessary on an individual application basis), supports the activities of the Planning Board.

**Zoning and Building Codes** are major elements that affect development within the community. The Zoning Ordinance sets the parameters for uses that are allowed within the community and sets standards for development of those uses. The Building Codes deal with the specific standards for buildings being developed, its structure, electrical and plumbing systems, and fire protection systems. Building Codes and Zoning Regulations must comply with state and federal regulations and be adopted by Town Meeting action. In Exeter the BI / CEO / Zoning Administrator interprets and enforces the Zoning Ordinances and Building Codes and the Fire Inspector interprets and enforces relevant fire and life safety codes. When interpretation is in dispute the appeal mechanism is to the Zoning Board of Adjustment.

Once the building permit is issued the various elements of the construction work must undergo and pass inspection. The code enforcement activity related to the permit ends when the work passes the final inspection or, in the case of more complex projects, the Certificate of Occupancy is issued which allows the building to be occupied and used.

**The Zoning Board of Adjustment (ZBA)** in Exeter is a quasi-judicial appellate body, appointed by the Board of Selectmen that must be established if / when a zoning ordinance is adopted by a municipality. The zoning ordinance itself governs what land uses are allowed by right within the various zones of the community, which land uses are allowed under specified special conditions and which land uses are prohibited. Decisions concerning zoning ordinance conformance, including "Official interpretation" of the ordinance are made by the Zoning Administrator who is typically one of the professional staff members of the municipality. The ZBA's function is essentially to introduce a judgment factor into the regulatory process where ambiguity in regulations requires impartial interpretation or where strict enforcement imposes a hardship on the property. In some communities where land use regulations provide for special use exceptions, the ZBA has responsibility to grant (or deny) such uses. In each case, the Board must measure the request against requirements of the ordinance itself or criteria set forth in State law.

The CEO and Deputy CEO provide administrative support for the ZBA.

**The Conservation Commission** is an advisory body that may be established in a municipality by vote of Town Meeting pursuant to NH RSA 36. According to the ***NH Association of Conservation Commissions***, "*Conservation commissions are local conservation volunteers who work to study and protect natural resources. Conservation commissions are very active in New Hampshire! These active volunteers are studying natural resources and developing long-term plans and strategies for the protection of important places, they are providing educational programs &*

*hikes, they are working to permanently protect land, they are educating the public about renewable energy, they are managing city and town lands for timber production, recreation and wildlife, they are researching the latest tools and advising other boards on the importance of the town's natural resources, they are able to work with the state's Department of Environmental Services to provide local comment on wetland permits."* In Exeter the Conservation Commission is a 7 member body appointed by the Board of Selectmen, including one Selectman member. Their role in the land use regulatory process can be viewed as advisor to the community on matters that affect the environment generally, and to provide information that will help inform decisions / discussions about matters that impact the environment being addressed by the BOS, Planning Board, ZBA and Town Meeting.

**The Heritage Commission** is an advisory body that may be established in a municipality by vote of Town Meeting pursuant to NH RSA 673:1(II), 674:44-b36. According to *Preserving Community Character: Preservation Planning Handbook for New Hampshire*, "Basically, a heritage commission does for historical resources what a conservation commission does for natural resources: it advises and assists other local boards and commissions; conducts inventories; educates the public on matters relating to historic preservation; provides information on historical resources; and serves as a resource for revitalization efforts. A heritage commission can also accept and expend funds for a non-lapsing heritage fund, acquire and manage property, and hold preservation easements." The Exeter Heritage Commission was established in 2006 and is a 7 member body appointed by the Board of Selectmen with a representative of the Planning Board and an ex officio Selectman representative. Their role in the land use regulatory process can be viewed as advisor to the community on matters that affect historic or cultural assets of the community generally, and to provide information that will help inform decisions / discussions about matters that impact these assets that are being addressed by the BOS, Planning Board, ZBA and Town Meeting.\*

**The Historic District Commission** was established in 1970 when Historic Districts were first designated in Exeter under the provisions of NHRSA 673. The Commission website explains that their purpose is to "safeguard the architectural heritage of the Town. Preserve elements of the community's architectural, cultural, social, economic and political history. Conserve property values. Foster civic pride. Promote the use of the historic districts for the education, pleasure and welfare of the citizens of Exeter". The Commission includes a member of the Board of Selectmen and a member of the Planning Board along with five other members appointed by the Board of Selectmen. It has limited regulatory authority within the Historic Districts of the community and must operate within the provisions and constraints established in the law and specifics of locally adopted zoning regulations. The Historic Districts Commissions role in the land use regulatory process is limited to applications within the designated Districts and for proposed impacts (largely architectural in nature) that are placed within its jurisdiction in land use regulations. The commission may also be viewed as advisor to the community on matters that affect aesthetic, historic or cultural assets of the community generally, and to provide

information that will help inform decisions / discussions about matters that impact these assets that are being addressed by the BOS, Planning Board, ZBA and Town Meeting.\*

\* The roles of the Heritage Commission and the Historic District Commission overlap and seem to be duplicative in some respects. According to the NH Department of Cultural Resources some communities have opted to vest the roles and responsibilities of the Historic District Commission into the purview of the Heritage Commission. Finding interested volunteers to serve appears to have been an increasing problem in Exeter, if that continues it might make sense to explore the benefits of consolidating these two commissions.

**The Economic Development Commission** was established by Town Meeting action in the form of an adopted ordinance in 1968 to *“further the efforts of economic development in the Town of Exeter. The EEDC was established in May of 1968 via the adoption of a Town Ordinance to facilitate relationships between the town and local businesses, thus supporting the economic foundation of the town and bolstering the vitality of the community.”* The Commission is a nine member committee appointed by the Board of Selectmen and according to the establishing ordinance, includes the Selectman Chair, Planning Board Chair and Town Manager as ex officio members. The Commission is a Non-Profit Corporation under NH RSA 292. According to its website the Goals include:

- Retention and expansion of existing industries and businesses
- Attraction and development of new industries and businesses
- Redevelopment of targeted areas
- Fostering a cooperative effort with organizations involved in the economic development of the area
- Marketing Exeter as a choice industrial and business location

While the Commission has no formal role in the land use regulatory process they can be viewed as advisor to the community on matters that affect economic development generally, and to provide input that will help inform decisions / discussions about matters that impact or regulate development activities within the community that are being addressed by the BOS, Planning Board, ZBA and Town Meeting.

Generally speaking, implementation of the Zoning and Building Codes after adoption, while emotional issues for the applicant or the abutters, is relatively cut and dried from a process point of view and lies within the express authorities of the code enforcer.

On the other hand, activities of the Planning Board in their site plan reviews, often involves more negotiation and a less certain and local process. For instance, above and beyond the strict conformance with the specified rules and regulations, most of which are addressed by the



professional staff and reported to the Board, the site plan review process allows the opportunity for the Planning Board to range farther afield and into things like aesthetics, landscaping and similar issues, as well as imposing additional technical studies concerning various potential impacts of a project. This part of the process can frequently become difficult because considerations are often very subjective and may seem to have little relationship to the functionality of the proposal. Moreover, and perhaps more importantly, appeals from Planning Board decisions which are based on the Board's own rules such as subdivision regulations and site development regulations must be taken to Superior Court, a process that is extremely more time consuming and expensive than an appeal to a local Zoning Board of Adjustment. This gives the Planning Board the opportunity to stand on a bully pulpit from which it can negotiate and exact concessions which might be considered by some to be beyond their authority.

Consequently, if a Planning Board is not scrupulously careful, these discussions can create the impression (real or imagined) that the regulators are exacting all they can from an applicant regarding issues which may not be legitimately a matter of law, public safety and functionality, but rather a matter of personal preference of Board or staff members. Free wheeling requests and negotiations can quickly become emotional and leave lasting negative impressions as to the conduct of the Board and the entire planning process as well. Without care, Board members and professional staff attitude and demeanor can have a significant impact on perception.

At the same time however, it should be noted that the development process often involves other Town personnel and Departments, as well as State personnel who can impact the perceptions of the process as well. For example, driveway permits and street cuts are the purview of the Public Works Department, as are the provision and/or extension of public utilities. The Fire Department has the authority and responsibility relative to fire and life safety codes and the State is called upon to approve the design and installation of septic systems where public services are not available and the disturbance or filling of wetlands.

### **The Professional Staff: Where Do They Fit In**

The Town's professional staff contributes their expertise across the entire spectrum of planning, zoning and code enforcement activities. First, they provide information to the public and are, therefore, an initial purveyor of the Town's image to citizens. Then, at the general policy level, they may be called upon to provide the information and expertise required to draft new ordinances or polices. Still at the general level, but significantly more specifically, they provide a coordinated review of specific projects or proposals for which application has been made to the Board. Finally, they have a role to help support the volunteer boards and committees in conducting the business of the various bodies and coordinating their activities so





that the work of the individual bodies can be integrated into an effective and efficient decision making system.

In day to day operations, the professional staff provides initial advice to potential applicants regarding conformance of proposed applications with laws, rules, and ordinances. In this regard, it is important that the staff conduct themselves professionally; displaying objectivity, consistency and evenhandedness so that both applicants and the land use Boards have confidence in and can rely on their advice and recommendations throughout the regulatory process. The staff also performs specific reviews of the implementation of approved applications and permitted activities to ensure conformance with codes and the approvals or permits which have been granted. In this role, they should have some latitude for professional judgment and be expected to use it when appropriate.

The Town Manager can also play a key role in this activity as well. Given the variety of concerns, the number of individuals involved the degree of detail and the immediacy / urgency typically and naturally connected with development activity, construction and the implementation of permitted activities, professional disagreements often arise. Some of these defy solution unless all the parties are called together in a neutral context to discuss the issues forthrightly, to reach an understanding of the real nature of the disagreement, and to search for solutions. A Town Manager who takes the responsibility, when appropriate, to assemble all parties to clarify the issues and guide the professionals on all sides through discussions to identify concerns and solutions, while treating all with respect, can add immeasurably to effective, responsive and responsible development activity for both the permittee and the community.

Overall, the individuals on the staff are the paid professionals who must make the Community Development System work efficiently and effectively for the applicants, project proponents and opponents alike, volunteer decision makers and the community as a whole. Consequently it is critically important that the staff has a clear understanding of the roles and responsibilities assigned to them, an understanding of the needs and expectations of the volunteer body(s) they are assigned to support, have clear written processes and procedures to follow and are supported while being held accountable.

### **Current Organization and Staffing**

In our view the current organizational set up of the community development functions in Exeter lacks sufficient structure to operate as a cohesive system. The team consists of a number of individuals who endeavor to work cooperatively as co-equal participants in a loosely knit "system". The Building Inspector / CEO / Zoning Administrator and the Assistant CEO, the Natural Resources Planner, the Town Engineer, Assistant Engineer, Fire Inspector, a Police



Liaison and a peer review engineering consultant have been loosely coordinated by the Town Planner under the umbrella of a Technical Review Committee.

**The Building Department** provides the Town of Exeter with Building Inspection Services, Code Enforcement and Zoning Administration as well as serving as the primary point of entry into the land use regulatory process. One full-time individual serves as Building Inspector (BI), Code Enforcement Officer (CEO) and Zoning Administrator (ZA). The individual presents a positive attitude and after 24 years, he has a very solid understanding of the three functions that are assigned to him. The incumbent seems to have a significant appetite for work and is clearly dedicated to the job. He expressed concern about the workload volume at certain times of the year which is exacerbated by increasing difficulty in finding and retaining qualified part-time staff to support inspections and address building code complaints during peak periods.

The Deputy CEO serves as the primary administrative and clerical person within the operation and seems to be the glue at the center of the land use regulatory process. The incumbent is the contact point where the average applicant can find someone to talk to at practically any time and she is a wealth of institutional knowledge. She sits squarely at the heart of the “system” since it seems that virtually every activity associated with land use finds its way to her desk, most typically, early in process. The Deputy CEO’s workload, is significant, especially since she also provides the required administrative staffing and coordination for the Zoning Board of Adjustment (including taking minutes at ZBA meetings), and while she has access to part-time clerical support, depending upon possible reorganization as the new Planner is hired, it would be advisable to expand the clerical support that the Deputy CEO receives so that she can assume more responsibility for coordination of the various elements of the development approval process.

Both the CEO and Deputy have long tenure with the Town and are a wealth of institutional knowledge of the Town’s development history over the past several decades. It is critical that a transition plan be developed that ensures, to the extent possible, that in addition to being prepared for their future retirement, the operational and historical knowledge and understanding they have in their heads is captured, organized and documented.

**The Planning Office** consists of the currently vacant position of Town Planner and a permanent part-time Natural Resources Planner, who works under the direction and oversight of the Town Planner; administrative / clerical support is provided by the Deputy CEO and her part-time clerical / administrative support person. The Planner and Natural Resources Planner work in support of the Planning Board in helping them with planning matters related to the Master Plan, research and drafting of policies, codes and zoning regulations intended to guide and control community development. The Planning Office is also tasked with providing staffing and expertise to the Conservation, Historic District and Heritage Commissions and other study or focus panels as may be established from time to time to address specific issues or matters of

concern related to community development. However, there appears to be no clearly defined process or procedures for the assignment or provision of such support. It was clear that the Natural Resources Planner provides some support for the Conservation Commission but it is unclear exactly what is expected to be provided and the lines of authority and accountability are fuzzy. Operational responsibilities of the office reportedly include occasionally helping the Zoning Administrator make decisions regarding conformance of a permit request or plan; conducting planning studies and research in order to advise and inform decision making by Department Heads, the Town Manager or the Board of Selectmen; and staffing the technical review processes associated with subdivision regulations and / or the site plan review process under the authority of the Planning Board.

**The Town Engineer and Assistant Engineer** are considered key members and participants in the Technical Review effort that accompanies the subdivision and site plan process since both processes are predominantly technical in nature and involve consideration of both long and short term municipal infrastructure impacts. It is generally perceived that the Town Planner is functions as the convener of the technical review process, however, the process and the participants seems to be loosely defined and participation seems to be voluntary. It was reported that most, if not all, site plans are required to go through a peer review process conducted by an independent 3<sup>rd</sup> party engineer at the project proponent's expense and it is unclear how and where the overlap occurs between the Town engineering staff and the consultant. It was clear from the conversations with the DPW Director and the engineering staff that they prefer the role of plan review to be left with the outside consultant since the unpredictability and urgency associated with the approval process is felt to be disruptive to their DPW project schedules. Underwood Engineers seems to be the primary (exclusive?) peer review consultant utilized by the Town. There was concern and some frustration expressed by developers and project representatives about the justification, cost and scheduling impacts that the 3<sup>rd</sup> party review requirement has on the time and expense of Exeter's approval process. There was also a fair amount of frustration expressed about the perception of inconsistency in the level and depth of review required and the way in which the information is supplied to and utilized by the Town. It was pointed out that delivery of the peer review comments is often out of sequence with the hearing schedule, that there is no consistent format for presentation of input to the Planning Board and the Planning Board often seems to duplicate the inquiry / level of review that occurs at the staff / peer review level which adds even more time to the approval process. It would be beneficial for the Town Manager to address these concerns in consultation with the staff and the Planning Board and develop a written procedure that clarifies how the review is intended to flow, if and when the Town engineering staff will perform reviews and work with the Planning Board to establish a criteria for determining when peer review is necessary, who the reviewer will be and ensuring that cost and schedule controls are clear in plan review assignments. It should be noted that the quality and accuracy of the work done by the Town engineering staff or Underwood Engineers was never cited as an issue; timing was the



major concern followed by cost – either for the review itself or delay / additional cost of developer consultants associated with review meetings.

**Public Safety Input** is provided by representatives from the Police and Fire Departments. The Fire Department is reportedly a more consistent participant in the process presumably due to that department's involvement with fire and life safety issues associated with the building process. Police input is reportedly more project specific and is seen to warrants participation much less frequently.

### **Comparative Staffing**

As part of this assessment MRI developed comparative staffing information for several communities that we believe are relatively comparable to Exeter. Exeter is the only community that employs an Economic Development Director but all of the communities accommodate a local economic development function locally except for Conway. Exeter is the only community that assigns a full-time staff person to attend and take minutes at the ZBA. Although the Deputy CEO professes to enjoy providing ZBA clerical support, it undoubtedly impacts her workload. Each community seems to organize their land use and community development functions and assign associated staff differently. There are similarities among all of the communities but some of the differences might be worthy of exploration as Exeter looks to restructure its operations. The model employed in Hooksett is quite different, rather interesting and might be further evaluated as a structuring option given the depth of engineering expertise in the Town's DPW.

#### ***Amherst NH:*** (pop 11,201)

- Community Development Director/ Zoning Administrator (FT)
- Code Enforcement Officer/Building Inspector (FT)
- Secretary (FT)
- Secretary, Planning Board meetings and minutes (PT)
- Secretary, ZBA meetings and minutes (PT)
- No Economic Development Committee: part of Community Development Director's role

#### ***Windham NH:*** (pop 13,592)

- Community Development Director (FT)
- Planner (FT)
- Building Inspector (FT)
- Code Enforcement Officer/Zoning Administrator (PT 30 hours)
- Clerk, General Office (PT 25 hours)
- Clerk, Planning Office (PT 20 hours)
- Clerk, Planning, Zoning & Conservation Commission (PT 20 hours)
- Secretary, Planning Board meetings and minutes (PT)



Secretary, ZBA meetings and minutes (PT)  
Economic Development Committee – contact Community Development Director

**Conway NH** (pop 10,115)

Town Planner (FT)  
Asst. Planner (FT)  
Building Inspector (FT)  
Code Enforcement/Zoning Admin (PT; 24 hours)  
Receptionist/Clerk (FT) (Shared by DPW/Engineer and Bldg. Inspect.)  
Secretary, Planning Board meetings and minutes (PT)  
Secretary, ZBA meetings and minutes (PT)  
Economic Development efforts through Mt. Washington Valley Economic Council

**Pelham NH:** (pop 12,897)

Planning Director (FT)  
Office Manager (FT)  
Zoning Assistant (FT)  
Code Enforcement Officer (PT)  
Building/Electrical/Plumbing inspectors on call as needed  
Secretary, Planning Board meetings and minutes (PT)  
Secretary, ZBA meetings and minutes (PT)  
Economic Development Committee – contact through Planning Office

**Hooksett NH:** (pop 13,451)

Under the Direction of the DPW Director  
Community Development Director / Deputy DPW Director (FT)  
Town Planner (FT)  
Assistant Planner (FT)  
Code Enforcement/Zoning Administrator (FT)  
Administrative Assistant (FT)  
Secretary, Planning Board meetings and minutes (PT)  
Secretary, ZBA meetings and minutes (PT)  
Economic Development Committee – contact Town Manager

**Survey Results**

MRI prepared and distributed invitations to take an on-line survey to 59 volunteers representing the membership of the Board of Selectmen, Planning Board, Conservation Commission, Zoning Board, Heritage Commission, Historic District Commission and the Economic Development Commission. Immediately after issuing the 1<sup>st</sup> invitation we discovered



that the 12 survey questions had been duplicated in the survey instrument such that each question was asked twice. The survey form was immediately corrected and new invitations were sent to all. Because response was slow we reissued invitations 2 additional times in an effort to secure more responses. In the end 32 responses were received and reviewed. The survey results are attached so that the reader may review them and draw their own conclusions; the following observations result from MRI's review of the responses:

- 1) About 50% of those who were invited actually responded to the survey (32/59) and of the respondents only about 33% (12/32) bothered to offer comments or suggestions. While it's not clear why the level of participation was so low, it suggests that it may be prudent for the Board of Selectmen to pursue answers by engaging each of the groups in a sit down discussion focused upon mutual understanding of issues, concerns and direction.
- 2) There is relatively little communication or interaction taking place between the various groups involved in the land use development / regulation process.
- 3) The Master Plan does not appear to be a reference document that is regularly employed by the volunteers or the staff as part of the planning review and approval process.
- 4) It appears that there is difficulty scheduling and coordinating workflow so that information can be provided be submitted on a timely basis. This suggests the need for clearer expectations and priorities for the professional staff involved in supporting the process.
- 5) There is clearly a need for more clarity and mutual understanding with regard to roles / responsibilities and authority within the local government structure – an effort to reestablish open lines of communication and move toward a common vision between and among the Board of Selectmen and the various volunteer boards and commissions should be a high priority.
- 6) While the number of responses was small, the negative ratings of the Economic Development Commission, when combined with other inputs received by MRI throughout this assessment, suggest that recent efforts to focus on economic development need more discussion and explanation within the organization and within the community as a whole.

## **Interview Results**

MRI conducted interviews, both face to face and by telephone with:



- The Town's professional staff involved in supporting the community development system;
- Each of the Selectmen;
- Representative of each of the volunteer boards & commissions;
- Representative property owners;
- Representative developers;
- Professionals involved in representing development project proposal in Exeter.

### **Observation & Suggestions from Interviews with Town Professional Staff**

1. The Town has a solid professional team supporting community development activities and, with a bit more leadership, coordination and direction they will become even more efficient and effective as their teamwork improves.
2. There is no designated staff leader of the Community Development System at the moment. Consequently there seems to be a lack of common vision and shared priorities. Each of the participants operates cooperatively but independently, consequently there seems to be a fair amount of difficulty and confusion in establishing direction and scheduling associated with the plan review and approval process. Operationally, it would be helpful to designate one person as the process manager and delegate sufficient authority and responsibility for that person to assign tasks, set schedule and hold team members accountable for performance. Given the relatively small size of the organization and the workload requiring coordination, the role of process manager is not a full-time role and should be incorporated into one of the existing roles in the system. Ideally, a new Town Planner can be found with both planning and project management/coordination skills.
3. The work load within the organization is somewhat unbalanced – the CEO and Deputy CEO seem to be near or at operational capacity. This is particularly noteworthy since both are very seasoned and long serving in the positions they hold so their subject expertise and historical perspective likely contributes significantly to efficiency. Future hires to fill this role will likely require a significant learning curve and time research that consume additional capacity. Since both are nearing retirement, it is important to develop a succession plan that anticipates accommodates the additional requirements.
4. The engineering staff is challenged by the intermittent nature of the plan review process while trying to balance their departmental workload. The land use regulatory process is not viewed as being within the Public Works purview and is therefore frequently seen as an unwelcome intrusion that interrupts more import engineering work. The Town



Manager needs to determine if and how the engineering staff is going to fit into the community development process and then work with the DPW Director to ensure that, whatever the role, it and the associated priorities are clear and understood.

5. The amount and nature of the work assigned to the Natural Resources Planner seems a bit unclear; the vacancy in the Town Planners position may account for some of this but now is a good time to clarify her responsibilities to support the Conservation Commission as well as revisit the staff support needs for the Heritage and Historic District Commission and consider allocating some of the her time there as well.
6. More effective utilization of technology could enable more effective planning, coordination and improve staff efficiency and volunteer participation. The Town's GIS provider (People GIS) is an industry leader and can quickly guide the staff in the use of the existing system (which is on-line and can be available to anyone) so that it can easily become a management, planning and communications tool for all departments as well as the land use boards and commissions. This will require a minor investment in training since the system is very user friendly and requires almost no technical sophistication to make full use of the system. Utilization of a simple permit processing and tracking system will also help with scheduling and coordination.
7. There is a bit of a "gatekeeper" mentality that seems to permeate the thinking of the staff associated with the site plan review process. While not excessive, there was little emphasis on or mention of cooperation or collaboration and a lot of emphasis on the need to double check and control for compliance. There seems to be somewhat of a disconnection or lack of understanding at the staff level of the mutual goals and benefits for both the developer and the Town when responsible, sustainable development occurs. The relationship between developer and regulator does not have to be adversarial and based primarily upon the presumption that every developer is intending to cut corners and avoid compliance wherever possible. Input from developers and their professional representatives suggests that many of the past interactions between Town staff and development agents has been based upon suspicion and presumption of ill intent by the project proponents. While there is no question that there are some developers who will endeavor to cheat and exploit the system, approaching all proposals with skepticism and suspicion is largely counterproductive and the staff should be coached and encouraged to avoid conveying this type of message. One of the roles on the new Economic Development Director could be to help the staff (and the community) understand the common interest in quality, compliance and sustainability shared between project proponents and regulators when dealing with local development.





8. There is not a clear understanding of the role, responsibilities and authority of the new Economic Development Director within the Town staff, in general or in the context of the community development process. While it seems that this role is an essential component of the local system without clarity and definition it will continue to be an unclear and potential misunderstood appendage to the system both inside and outside of the municipal organization. It is essential the Town Manager and Board of Selectmen provide clarity for the role in the form of an action plan, expectations and an explanation of where and how the position fits into the "Community Development System".

### **Observation & Suggestions from Interviews with Property Owners, Developers, and Project Proponents**

1. There is difficulty understanding the process which has seemed inconsistent to a number of professional representatives and project proponents who have represented multiple developments. They suggest that requirements seem to shift without clear expectations or consistency. Without a documented process and written standards, it's difficult to defend the review and approval process so it's important to both perception and reality that the rules of the game be clear and documented. To that end the Town Manager should ensure that a clear written process and procedure is established to guide the development approval process through the staff level and that it be integrated with the Planning Board rules and procedures.
2. The complexity of regulations and multiple interpretations thereof seems to create problems and frustration for developers and their agents. In the short term it would be helpful to develop a "quick guide to the process" for use by applicants; in the long run it would be beneficial to undertake a comprehensive review of ordinances and regulations in the context of achieving the goals and objectives of an updated Master Plan while simplifying the system for users.
3. A number of those interviewed suggest that the process seems duplicative. The developer is typically expected to pay for the cost of a peer review as part of, or in addition to, a Technical Review process at the staff level and then the same issues / questions are reportedly revisited by the Planning Board in their hearings. It is important for the Planning Board to clearly articulate how the plan review process will work under normal circumstances, especially when it comes to additional, independent technical reviews at the developers expense, and make every effort to ensure that the process is observed throughout the review and approval process.
4. A number of the professional representatives indicated that the process in Exeter is no worse than many other communities where they present development plans, however



all pointed to other communities in the area that are seen as much more user friendly. In the end, everyone in this segment spoke to the general perception that Exeter review and Exeter is not particularly user or business friendly.

5. All of those interviewed were aware of the hiring of the Economic Development Director and the recent personnel change in the planning office and all saw these as potentially positive indicators.

### **Observation & Suggestions from Interviews with Selectmen & Volunteers**

1. In one way or another all of the Selectmen and each of the volunteers expressed a strong desire to see the community grow and prosper while ensuring that the character and quality of life is preserved and protected. There were varying opinions regarding the best way to work towards a positive, sustainable future; however, everyone expressed dedication and commitment to helping the Town grow responsibly and to make things better.
2. A common theme with all those interviewed was the decline in civility and respect that seems to have increasingly accompanied discussions about community development matters. From proposed changes in regulations to recent discussions about how the Economic Development Director should perform and even including the motivation for commissioning MRI's assessment, there is concern that the discussion / debate is becoming heated and personalized in ways that are tearing at relationships and the fabric of the community. Exeter has so much to be proud of and thankful for, it would be a shame to head down a destructive path where pursuit of a common vision and the future of the community cannot be discussed openly, honestly and with respect and decorum. While it may sound trite, the Board of Selectmen could adopt a simple code of conduct for the Town, starting with themselves and then request (require?) that each employee and volunteer agree to abide by the code while engaged in conducting the business of the Town. This same code could serve as a guideline for citizen participation in public meetings in hopes of defusing the trend of disrespect and incivility that some see creeping into community affairs.
3. Many of the volunteers, especially more recent appointees, spoke to the need for orientation, familiarization and training to help them understand and perform the duties associated with the board or commission they serve. The Selectmen, as the appointing authority of all the land use boards and committees should set expectations for process and support for boards and committees; set written standards for service and convey this in immediate "all Boards meeting" and then annually following elections and during vetting of potential appointees. An orientation program for new appointees should be developed to provide training (with readings) for boards & committees.



Peterborough, NH actually requires specific readings be completed before appointment and lists them on their web site.

4. It seemed that most of those interviewed in this segment expressed frustration or concern about not fully understanding the roles, responsibilities and authority of the board / commission on which they serve. Even some of the longer serving members, were not clear about how the review and approval process really works. A representative of the Planning Board expressed confusion about who decides that a peer review is required and who selects the consultant. Others expressed frustration that their recommendations or suggestions don't seem to get Planning Board consideration. It would be productive to establish a work session for each of the land use boards and committees with a subject expert from one of the state wide associations and / or the Municipal Association to discuss roles, responsibilities and answer question and then share operating approaches employed in other jurisdictions that seem to work efficiently and effectively.

## **Conclusions**

As stated at the overview meeting with the Board of Selectmen, there are two important things to keep in mind when reviewing these conclusions and recommendations: 1) There are no right answers – only consequences; and 2) Exeter is not unusual, most communities continue to struggle with controlling, managing and organizing community development activities – it is a never ending pursuit.

With that said, we found our work in Exeter to be enjoyable and challenging. We found everyone cooperative, helpful and generally open and forthright in our discussions. Securing responses to the survey and scheduling the number of face to face interviews that were requested added to the time required to complete our work, but in the end we are confident that we have good handle on the situation and we hope the observations will be instructive and provide some objective insight and that the recommendations will be helpful in charting a refined course.

Exeter is a beautiful community, home to one of the premiere village centers in New Hampshire with great community character, tremendous assets with an active, engaged community and a talented municipal staff. The location is ideal with quick and easy access to the seacoast, the NH Lakes Region, the White Mountains and all the many assets of NH while at the same time being close to the many educations, medical, cultural and historic assets of metro Boston. Its character, local assets and location result in a great reputation regionally and New England-wide.

The town has a long history of successful stewardship, preservation, and conservation. Volunteers and public employees have worked hard to shape the community into what it is today and there is a strong desire to enhance and protect what exists today and to grow and develop responsibly in ways that ensure long term viability and sustainability. It has begun to deal with the challenges of economic growth and will need to constantly search for an elusive balance between affordability for a diverse population and a most desirable quality of life.

The Planning Review & Approval Process is unclear both inside and outside the organization resulting in negative external perceptions and project proponent frustration. It also creates uncertainty, confusion, and frustration for the staff and the volunteers who serve on the Boards and Committees. This can be solved easily by establishing and documenting a standard processing procedure that involves critiquing the critical aspects of each project on the first day, alerting support staff and assigning responsibility for follow-thru.

The current Master Plan is outdated (although there has been some updating) and does not seem to have a role and is not used in the community development process. Beyond that the Plan does not address financial / economic or sustainability questions. It makes little meaningful use of demographic, marketing or economic data. For example it does not address the aging population, the shift from retail to e-commerce throughout the national economy, declining student population, the growth of tele-commuting, or the narrow distribution of the Town's tax base. It also fails to address realistic assessment of constraints in the water & wastewater utilities or the imposition of Municipal Separate Storm Sewer System (MS4) requirements. In short the Master Plan needs to be updated and packaged as a more useful tool and guidebook for municipal management and decision making.

It appears that the previous Town Planner, who served as the point person in the regulatory process, was a strong environmental protection advocate whose bias influenced the entire system and contributed to an "anti-development" tone. If the Town is going to place more emphasis on positive, responsible, sustainable economic development it will need to place more emphasis on collaboration / partnerships with landowners & developers with the focus on achieving mutual interests and treating those who want to make an investment in your town as allies since you have what they want / need in the form of approvals and they have what you want (and really need) – tax base.

## **Recommendations**

- The Town needs to recognize the importance of Planning (the 30,000 foot view) VS Regulation (the 100 foot view) as they move into the future and ensure that the next Town Planner is capable of operating at both levels so that regulation does not outpace planning (or vice versa).

- There desperately needs to be a lead person assigned to ensure that the site plan review and approval process is effectively coordinated such that that the calendars for the Planning Board & Conservation Commission Tech Review, peer review and other advisory roles are properly sequenced. The site plan approval / application process should start with a critique and flow chart for each new project. This decision should be driven, in part by the talent pool available to fill the Town Planner position; the selection process should be conducted with an eye towards reorganizing and restructuring.
- In the near term the regulatory review and approval process needs to be better defined and clearly documented with the roles & responsibilities of the staff & volunteers clarified in order to reduce ambiguity and improve predictability for developer and project proponents.
- The Selectmen and Town Manager should coordinate with the Planning Board to initiate an effort to update and repackage the Master Plan in a way that it will be a more useful tool and guidebook for municipal management and decision making. They should emphasize the importance of incorporating more meaningful data driven goals and objectives (demographics, economic, financial, market, and physical), assignment of responsibilities for implementation and measurable outcomes.
- There needs to be a concerted effort to introduce an expanded notion of coordination and collaboration into the culture at the staff and volunteer level – perhaps incorporating President Reagan’s view of “trust but verify”.
- The staff involved in the community development process currently operate in independent silos rather than as an integrated system with several individuals reporting directly to the Town Manager. It’s a solid group with plenty of talent that needs to be structured for follow-thru and coordination so we recommend that they be organized under a single Department Director who reports directly to the Town Manager. This should improve coordination, cooperation, consistency and accountability.
- The relatively recent effort to become more “business friendly” seems to have developed quickly and has resulted in concern about abandoning concerns for preservation and protection in return for tax base. It would be advisable to focus the energies of the Economic Development Director on developing a written plan of action that can be vetted by the Board of Selectmen and shared and discussed with the community instead of maintaining an aggressive implementation effort that seemingly has no parameters of measures for success built in. From the outside, it seems that the focus on economic development effort is contributing significantly to a sense of unease bordering on mistrust in some segments of the community and it makes sense to slow



down enough to produce a plan and provide an opportunity for additional community discussion and, hopefully, some buy-in, even knowing that there will always be opposition. The Town Manager should initiate creation of an Economic Development Plan and Strategy that results in preliminary data driven area plans for Epping Road, Portsmouth Avenue, and the Village / Downtown area.

- As the appointing authority the Board of Selectmen have the right and responsibility to select volunteers to represent the various land use boards and committees. It is incumbent upon them to select candidates that can approach the roles with an open mind and conduct the affairs of the Town with evenhandedness, fairness and respect. The Selectmen should set written expectations for volunteer service on each Board and Committee that they appoint. Requirements should include a commitment to such things as objectivity, open minded, respectful participation, a willingness to learn, and sufficient time to be available for training and meetings. The BOS should require participation in training as a condition of appointment / reappointment and include the cost in their budget.
- The Board of Selectmen should task the Town Manager to take the steps necessary to refine and better structure and define the community development and planning / approval process:
  - a. Define staff roles and clarify responsibilities
  - b. Establish a point person to coordinate
  - c. Reset priorities to emphasize collaboration and assistance
  - d. Set performance measures – example: all 65 day waivers to be reviewed by Board of Selectmen and conduct 3 annual focus group sessions: one with a representative group of applicants; the second with a representative group of board / commission volunteers and; the third with the staff, to discuss problems, issues and opportunities for improvement.
- The Board of Selectmen should convene a meeting of all board and committee volunteers and their support staff to explain and address questions and concerns about the desire for better coordination and communication, and focus on the need for a more responsive, user friendly approach.
- The Board of Selectmen and Town Manager should establish a Community Development Coordinating Committee consisting of the Chairs of all board and committees involved in

community and economic development along with the Board of Selectman Chair, the Town Manager and the Tech Review staff members. Meetings should occur at least quarterly for the purpose of establishing and maintaining open communication, identification and discussion of community development opportunities and challenges, and identification of needs for and ways to refine and enhance the community development process.



# ***APPENDIX A***



Municipal  
Resources  
Inc.










Survey: Exeter NH Community Development Survey





Report: Default Report

Survey Status		Respondent Statistics		Points Summary
Status:	Live	Total Responses:	32	No Points Questions used in this survey.
Deploy Date:	07/29/2015	Completes:	30	
Closed Date:		Partials:	2	

**1. Please indicate which Board / Committee you serve on:**

	Responses	Percent
Planning Board: 	12	37.5%
Zoning Board: 	4	12.5%
Conservation Commission: 	10	31.25%
Heritage Commission: 	6	18.75%
Historical District Commission: 	4	12.5%
Economic Development Commission: 	4	12.5%
If other, please specify: 	4	12%
Total Responded to this question:	32	100%
Total who skipped this question:	0	0%

**2. How long have you served?**

	Responses	Percent
two years or less: 	0	0%
more than two years but less than five: 	6	18.75%
between five & 10 years: 	16	50%
more than 10 years: 	10	31.25%
Total Responded to this question:	32	100%
Total who skipped this question:	0	0%

3. What have you found to be the most challenging aspect of serving on your particular Board / Committee?

Response	Response Text
1	There have been few challenges until the past few years, when the atmosphere (particularly in the Town Office Building) seemed to change dramatically. Doors closed, and there was a palpable sense of paranoia and distrust at every turn. Friendly and open communication no longer exists, making it unpleasant and extraordinarily difficult to be a participant in Town affairs. (Even members of the community have felt that the welcome mat has been removed) Having been a Planning Board member during the George Olson reign, I have experienced the Town during much more genial circumstances and I find this current trend very disturbing. Perhaps because things have become more insular, I have also noticed a trend whereby committee members and staff are no longer communicating well with one another, and this has resulted in numerous problems (some, quite significant) over the years. This is not sustainable. What I see as secrecy and bullying has poisoned the waters. The agendas of the Town Manager and certain Selectboard members has made for challenging times for the Planning Board and other Town committees. I hope every day for a reversal of this disturbing trend. This is a small community, and in many ways, it no longer feels like such. Somehow, we need to reestablish enthusiasm for community participation, and regain the community's trust in 'the process.' Circumstances revolving around the 2015 proposed wetland buffer zoning amendment, and the 2015 PB election of officers were probably the absolute low points in my fifteen +/- years on the Planning Board.
2	Dealing with wetlands as there doesn't seem to be much flexibility which at times is most challenging for all parties.
3	becoming familiar with the applicable rules and regulations
4	The conservation commission over time has had difficulties in finding volunteer members who have the time and commitment to fully engage in the roles and responsibilities of the commission, beyond attending meetings. Those activities are consistently addressed by only a few members.
5	Education of members Relationship to other boards/other board awareness of HC duties and supposed interactions Filing of documents Budgeting left up to Commission even though it falls under Planning Dept.
6	The Demolition Review process can be challenging given the time constraints especially if property owners are not cooperative. Communication with other town Boards and Commissions but this is improving now that we are receiving their agendas in advance of their meetings. Securing volunteers to serve on the Heritage Commission.
7	Sense of input being timely and actually being able to influence development decisions.
8	Having the applicant and public understand our members come with backgrounds of various interests/expertises. We are provided a meeting material packet in sufficient time prior to the meeting to permit study, reasearch and site viewing if deemed helpful; there is no walking into the meeting and voting as
9	Limited Budget compared to responsibilities for protected land Recognition by the Town and the CC of the need to monitor annually conservation land and existing trails.
10	By State Statue, the Conservation Commissions of NH are only advisory and and we can only hope the agencies reviewing the proposal after appearing before the ConCom share our opinions. Also, having the public and applicants understand our questions and comments come only after members have received the meeting material sent out by the Natural Resource Planner in a timely manner to allow time for review and a site visit if one feels it would be helpful
11	Explaining to property owners why preserving is better than razing -especially when razing is easier and cheaper

- 12 becoming familiar with the Town Zoning Ordinance and its Site Plan Review and Subdivision Regulations
- 13 understanding applicable rules and regulations for a non-technically qualified person
- 14 Staying focused on following existing regs, ordinances and master plan when rendering decisions and NOT imposing your own personal beliefs. See training below.

4. If you could change one thing that would dramatically improve the operation or performance of your Board / Committee, what would it be?

Response	Response Text
1	The Planning Board members work hard and have earned the respect of the community. We are regarded as being professional, reasonable, and easy to work with. We do not need or wish to be the puppets for the Town Manager, the Economic Development Director, or the members of the Selectboard. Give us back our autonomy. Let us do our job. And let the doors of honest communication and dialogue open between us, and the members of other boards.
2	Have the planning board members be elected rather than appointed buy selectmen
3	no comment
4	Increase the hours of the Natural Resource Planner to full time; or provide other additional resource hours.
5	Education of members on architectural styles, periods and construction
6	A clear Town supported application process for applicants requiring approvals from multiple boards and commissions.
7	An introduction or orientation that makes it clear how the commission decisions and activities tie in with the rest of the town planning activities.
8	Since the CC has responsibility to review wetland permits, training on the reading of plans and wetland regulations for most members should be ongoing.
9	Again, by State Statue we are charged with certain stewardship duties. Exeter has a significant number of easements, conservation deeded lands that require monitoring. I would like to see the size of the membership increased to we may attend to the must dos, should dos and then the wanna dos. Or better yet, increase our operating budget to allow to contract with outside vendors to assist in the monitoring.
10	The respect and understanding of other boards, specially the ZBA
11	member attendance
12	no comment
13	For Planning and Zoning Boards - more in-house(local) training
14	More in-house(local) training for new board members More screening of volunteer candidates to try and flush out 'special agendas' for serving. SEE ATTACHED SUPPLEMENT

5.

Based upon your experience on the Board / Committee, please answer the following:

Always      Frequently      On Occasion      Infrequently      Never

How frequently does your Board / Committee establish conditions for approvals?:	14.29%	42.86%	28.57%	7.14%	7.14%
Are these conditions clearly spelled out in a written decision?:	61.54%	23.08%	7.69%	7.69%	0%
Does your Board / Committee maintain a listing of outstanding approvals and associated conditions?:	41.67%	16.67%	16.67%	8.33%	16.67%
How typical is it for someone to inspect projects to ensure approval conditions are satisfied?:	27.27%	18.18%	36.36%	9.09%	9.09%
Does your Board / Committee receive status reports on approvals and associated conditions?:	8.33%	8.33%	41.67%	33.33%	8.33%
Is your Board / Committee made aware of failures to comply?:	16.67%	25%	41.67%	8.33%	8.33%

6. Please rate that following:

	Extremely Strong	Strong	Neutral	Weak	Very Weak
Interaction between members on my board/committee:	33.33%	50%	8.33%	8.33%	0%
Interaction between members and applicants:	0%	58.33%	33.33%	8.33%	0%
Interaction between members & Town staff:	0%	75%	16.67%	8.33%	0%
Communication between our board/committee & The Selectmen:	0%	25%	75%	0%	0%
Communication between our board/committee & other land use boards:	0%	16.67%	41.67%	41.67%	0%
Adequacy of input from Town Manager when / if required:	0%	15.38%	69.23%	7.69%	7.69%
Adequacy of input from planning staff when / if required:	38.46%	30.77%	15.38%	15.38%	0%

Adequacy of input from Police when /if required:	8.33%	25%	58.33%	8.33%	0%
Adequacy of input from Fire when/ if required:	8.33%	33.33%	50%	8.33%	0%
Adequacy of input from Public Works when / if required:	16.67%	41.67%	41.67%	0%	0%
Sufficiency of information required of applicants:	7.69%	53.85%	30.77%	7.69%	0%
Clarity of information provided by applicants:	8.33%	50%	33.33%	8.33%	0%
Sufficiency of information provided by Town staff:	30.77%	46.15%	23.08%	0%	0%
Clarity of information provided by Town staff:	23.08%	61.54%	15.38%	0%	0%
Sufficiency of technical input provided by outside consultants:	23.08%	46.15%	30.77%	0%	0%
Clarity of technical input provided by outside consultants:	3(25%)	6(50%)	3(25%)	0(0%)	0(0%)
Adequacy of legal advice and counsel:	16.67%	8.33%	66.67%	8.33%	0%
Clarity of legal advice and counsel:	16.67%	8.33%	58.33%	16.67%	0%

**7. Please rate the following based upon your personal experiences & observations:**

	Excellent	Very Good	Average	Below Average	Poor
Overall, how would you rate the performance of the Planning Board in providing balanced decisions that are "true" to the intentions of land use regulations?:	23.08%	61.54%	7.69%	7.69%	0%
Overall, how would you rate the performance of the Zoning Board in balancing the integrity of the land-use regulations against mitigating true individual hardship?:	7.69%	61.54%	15.38%	15.38%	0%
Overall, how would you rate the performance of the Conservation Commission in preserving, protecting and enhancing the natural environment?:	30.77%	53.85%	15.38%	0%	0%

Overall, how would you rate the performance of the Historic District Commission in overseeing, advocating for, and preserving the Historic Districts within the Community?:	7.69%	53.85%	38.46%	0%	0%
Overall, how would you rate the performance of the Heritage Commission in identifying and preserving key historical or cultural elements throughout the community?:	15.38%	30.77%	46.15%	0%	7.69%
Overall, how would you rate the performance of the Economic Development Commission in advocating for and advancing balanced economic development efforts within the community?:	0%	7.69%	53.85%	30.77%	7.69%
How would you rate the performance of the land use staff in documenting and ensuring follow-up on conditions of approval established in the approval proceed?:	15.38%	61.54%	7.69%	15.38%	0%
How would you rate the performance of the Code Enforcement Office in ensuring compliance with conditions of approval during construction?:	16.67%	58.33%	16.67%	8.33%	0%
How would you rate the performance of the Code Enforcement Office in ensuring compliance with conditions of approval post construction?:	8.18%	54.55%	18.18%	9.09%	0%
How would you rate the clarity, understandability and simplicity of our Zoning Regulations?:	7.69%	38.46%	30.77%	23.08%	0%
How would you rate the clarity, understandability and simplicity of our Site Plan Review Regulations?:	8.33%	50%	41.67%	0%	0%
How would you rate the clarity, understandability and simplicity of our Wetlands Regulations?:	8.33%	50%	33.33%	8.33%	0%
How would you rate the ease and "user friendliness" of the land use processes overall?:	7.69%	46.15%	38.46%	7.69%	0%

8. The Masterplan (MP) is the theoretical foundation for almost all community development; zoning and land use regulations should support attainment of the visions and ideals articulated in the MP. Please share your views on the following statements:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
The current MP is reflective of the vision, goals and ideals that the community has for the future.:	0(0%)	53.85%	46.15%	0%	0%
The MP current serves as a viable & helpful road map for the planning and regulatory functions of my board/committee.:	0%	61.54%	30.77%	0%	7.69%
Current Zoning and land-use regulations are in alignment with the MP.:	0(0%)	61.54%	38.46%	0%	0%
Community growth & development has been largely consistent with the visions & ideals in the MP.	7.69%	38.46%	46.15%	7.69%	0%
Land use staff has been effective in keeping the MP updated & meaningful.	0(0%)	23.08%	61.54%	7.69%	7.69%
Land use staff has been effective in their efforts to keep zoning and related land use regulations consistent & in alignment with the "living" MP.	0%	46.15%	30.77%	23.08%	0%
The MP is a frequent reference point in discussions with project proponents.	0%	0%	61.54%	38.46%	0%
The MP is a frequent reference point contained in information & recommendations provided by the land use staff.	0%	0%	69.23%	23.08%	7.69%
The MP is a frequent reference point in discussions and related decisions made by my board/committee.:	0%	7.69%	61.54%	15.38%	15.38%
My board/committee is aware and mindful of the elements of the MP that fall within our purview.	7.69%	30.77%	23.08%	30.77%	7.69%

9. What thoughts or suggestions do you have to improve the information and materials that are provided to you in advance of your meetings? Is there enough info? Too much? Could it be better organized? Are there things that should be added?

Response	Response Text
1	The Planning Department has done an excellent job in the preparation of materials for the Planning Board members prior to the Planning Board's review of cases at the regularly scheduled meetings. Sylvia's notes were enormously helpful and thoughtful, and I am happy to see that Mr. Greenwood is continuing that practice. Sometimes the technical notes are a bit over our heads, especially for those of us who don't have an engineering background, but I think it is best to have them to look over and reflect on, than to have them edited or eliminated entirely. The Planning Board staff, the members of the Technical Review committee, all have done an outstanding job preparing materials for the PB to review. They get high praise for their efforts. On the other hand, and although there are some engineers who are consistently thorough in their preparation of materials for us to review, there are many who come to the table with incomplete plans. Our Town engineers and planners and volunteers should not have to do that work for the applicants. We should not be the designers of a project. Somehow this point needs to be made clear when applicants walk through the door of the Planning Office.
2	Currently we receive materials the Friday before the next Thursday meeting the majority of lime. It would be great if plans were in color to help identify the site and it's conditions.
3	no comment
4	The information and materials is adequate and sent in a timely way.
5	The Heritage Commission operates as an individual board with no input from staff. The only documentation provided is for requests for demolition reviews. The staff is not apparently interested in the participating in the accomplishment of the goals of the HC. Attendance at Commission meetings and/or demolition reviews, at least occasionally, would be nice.
6	NA
7	At times it is too much and/or not clearly stated what is needed from the Conservation Commission. Occasionally it is after the fact and makes input seam useless or unproductive.
8	Well done
9	Please permit me to elaborate or further comment on my above choices in these boxes. Question 5: the last 5 questions are preformed by member of Planning Dept. staff Question 6: The Commission has a BOS rep. as a member but most often they report back to their Board on our activities and no not bring back requests/opinions. With the TRC and Planning dept. 99% of what we see has been formatted so it is ready for action. However what is often provided by outside consultants is inadequate or lacking because they are not seen by TRC or brought on board after requests by TRC. As for legal counsel I do find it puzzling how quickly some opinions are received, even in the most complex of cases, and how long other opinions can be dragged out. Question 7: Again DES can override any decision or opinions determined by the ConCom. As a former recording secretary for the HDC, Heritage and ConCom, my experience with applicants needing to come back with more information, revisions etc. is often because the applicant has not done their homework in reviewing minutes or watching TownHallStreams to see what the boards have asked/required in similar situations. And then there are those who wished to push the boundaries; often they are repeat applicants because they do not do what was request or decided to try it another way..
10	Information provided is enough and on time
11	information and materials have been sufficient in most instances
12	no comment
13	Great help from office staff thanks primarily to 30 year employee Barbara McAvoy. Fear the day she retires (approx 1 year)!



10. Please provide any thoughts or suggestions with regard to how the current land use processes might be better organized or structured to perform more effectively and effectively as an overall system.

Response	Response Text
1	I continue to voice my support for a Zoning Ordinance Review committee that could work on examining current regulations: revising old regulations and writing new Zoning ordinances that would then go to the Planning Board for closer examination and discussion. This would help foster open dialogue between all land use boards, and would help to assure that the Zoning regulations are always being examined, revised, and updated. We will need, and will need SOON, another exceptional Town Planner to oversee future projects, to work on updating the Town's Master Plan, and to work with applicants, and the Town land use boards as we move forward. (That said, I would also like to see members of the Planning Board participate in the hiring process.)
2	The Zoning Ordinances & Regulations Committee (ZORC) needs to be an ongoing committee lead by the Planning Board to better communicate and assist with efficiency within the system.
3	no comment
4	Provide a master plan summary for public consumption. Provide a public seminar on the town's land use planning process and articulate ways and means of productively engaging the process Show through process communication and process simplification that "Exeter is open for business and economic development"
5	Our zoning calls for demolition review before any project proposing demolition goes before the planning board. This does not occur leaving no possibility for suggestions from the Commission on siting and architectural design that might affect the PB's decisions.
6	I have had over 35 years as a professional supporting clients through the approval process in municipalities throughout NH, MA and ME and can say with experience that the Exeter boards and commissions get an A+ when compared to what I have faced in the past. The recent criticism of the Planning Board and staff are unfair and untrue.
7	There should be a clear orientation of commission members as to the MP and the function of the commission in town planning. There should also be a greater effort to orient the commission as to how their function fits into the broader context of town planning.
8	Potential source for CC funding. See above.
9	I feel bring back ZORC so zoning issues can be dealt with in a timely manner. As the demographics and needs change let there be some flexibility in land use changes and this Committee would be helpful
10	No ideas
11	no comment
12	inapplicable to HDC
13	SEE SUPPLEMENT

11. Please provide any thoughts or suggestions with regard to how the process might be improved or how your role on behalf of the community could be better supported, made easier, or simply more enjoyable.

Response	Response Text
1	Nothing to add, beyond what I've written in other sections of this questionnaire. Note: I think it would be helpful to have an attractive message board in front of the Town Office Building where notification of upcoming meetings/dates/times could be read by community members driving by. This would put upcoming meetings on everyone's radar, and might encourage more people to participate.
2	When the Selectmen have an issue with the Planning Board and procedures it would be appreciated if they would, through their representative, to discuss the concerns rather than come in "from on high". This would provide the Planning Board with their thinking / concern and allow conversation and dialogue to address the concern in a cooperative manner. It seems some times that our chairman gets cornered and brings in the "bad news" thus causing a poor reactions from the members.
3	no comment
4	See #10
5	Don't undo all the good work that has been done planning and conserving what the community felt important in the quest for economic development.
6	More resources and support for the commission to carry out its primary objective of looking after the town conservation properties of which there are many and they are mostly poorly delineated and monitored for lack of time and resources. These properties play a vital role in the health and beauty of the Town of Exeter and yet a very small part of the town budget is dedicated to their monitoring and management. The town faces the serious threat of increasing encroachments and abuses of town conservation property with a potential high cost of resolution in the future.
7	On several occasions the Planning Board and the CC have managed to lack clarity on conditions on land for which the CC is to be responsible for the long term.
8	Perhaps more of a dialogue between PB and Con Comm. on projects seen by both boards.
9	We are trying to "sell" Historical Preservation by working with the historical society with walking tours, pamphlets and public programs

12. Please provide any observations, ideas or suggestions that you have to better focus, organize or manage the overall "Community Development System" for the Town of Exeter so that it is responsive, balanced and transparent.

Response	Response Text
1	There has to be more communication between staff, land use boards, and the community. We desperately need to focus on TRANSPARENCY. For this to happen, changes need to be made from the top down. Staff members cannot be made to feel that their jobs are at stake if they say too much, or say the 'wrong thing'....especially if what is being said is truthful and honest.
2	Perhaps we could continue the "All Land Boards" meetings a couple times a year to get to know each other and suggestions or ideas that might be tried to become more balanced and transparent in our work.
3	no comment
4	Apply the suggestions in question 10 to the Community Development system.
5	Technical Review should include input from HC when proposals require demolition or change view shed.
6	See above.

- 7 There should be better communication between boards, committees and commissions. There should be clear orientation as to the the master plan, especially as it relates to each planning group. There town appears to be getting away from a clear objective of reducing the footprint of all future development so as to reduce the environmental cost of this development. The focus should be on quality of growth and not just quantity making the most efficient use of current developed areas before extended further into marginal lands that would better serve to protect the natural resource base.
- 8 Sounds great but I am not sure I understand the question. That said, there seems to need to be better sharing among departments. I believe the individual departments in the main do their assignments well, but on occasion they appear isolated in spite of the efforts of individuals. For example: I believe that the Town in the next few years will have to deal with the AOC. That will require all departments, various citizens groups, industrial/ commercial groups and individual home owners to change their behavior. Exeter needs to be ready.
- 9 Lets discuss the MP questions here: There has been much discussion recently on updating the MP but no real mandate has been sent out. We know the PB is responsible for a Master Plan but the last session involved many voices and consumed a great amount of time. They remember the process clearly and seem to be hesitant to take it on at this time. However, there is no chapter in the MP on Economic Development and that has been discussed by the EEDC members in their visioning sessions and individuals volunteered to research and set up a draft but nothing has happened. As the recording secretary for this Commission for some four years and attended all meetings I am saddened to see the enthusiasm and vitality of the original group diminish and in reality become almost a do nothing group. Often it is a challenge to get an agenda together in the required 24 hrs notice and that leaves little to no opportunity for members to follow up on agenda items. If saying yes to anything that is said to be "good for the Town" is the function of the Commission then I guess it is a success. Personally I do not find it responsible and done through self education. When the EDD arrived the group was thrilled to have some assistance with some of their goals, the Economic Chapter for MP being one. But it was made very clear from the onset he does not like to work with committees, posted agendas, minutes etc. He assured the group it would get done but felt he was very busy so not sure when that might be. (His preference for working alone was perhaps evident in the Warrant Article #8 on wetland buffers that was soundly defeated by the residents at election time. There were basically two issues here: one being the re-adjustment to the most minimal of wetland setbacks and the lack of transparency. No input from the Planning Dept, Planning Board, Conservation Commission. This is an educated town and citizens are willing to work toward responsible solutions; the public needs to be involved.
- 10 We've got a lot of dedicated people volunteering on the boards and an excellent professional staff in the Planning office. Now we need to get the public on board...
- 11 transparency may be an issue to be addressed
- 12 transparency is very important

# List for Selectmen's meeting January 30, 2017

## Veteran's Credit

Map/Lot	Location	Amount	
68/6/825	8 Sterling Hill 825	\$500.00	
68/6/146	1 Sterling Hill 146	\$500.00	
68/6/813	8 Sterling Hill 813	\$1,000.00	2 veterans
68/6/125	1 Sterling Hill 125	\$500.00	
80/6/40	4 Liberty Lane	\$500.00	

## Permanent and Totally Disable Veteran's Credit

Map/Lot	Location	Amount
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## Elderly Exemption

Map/Lot	Location	Exemption
64/21	6 Dewey St	152,251

**List for Selectmen's meeting January 30, 2017**

**Water / Sewer Department Abatement's**

**Approval suggestion**

<b>Name</b>	<b>Location</b>	<b>Amount</b>
-------------	-----------------	---------------

**Disapproval suggestion**

<b>Name</b>	<b>Location</b>	<b>Amount</b>
-------------	-----------------	---------------

Philip Conlon	1 Crawford Ave	\$178.26
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**Town of Exeter**  
**Water/Sewer Abatement Request & Receipt Form**

Please Print:

Full Name: Philip Conlon  
 Mailing Address: 1 Crawford Avenue  
Exeter, NH 03833  
 Service/Property Address: same as above

Today's Date: 11/27/16  
 Account Number: 232353800  
 Route Number: \_\_\_\_\_  
 Phone Number: 603-502-3839

Utility Abatement Requested for: Water \_\_\_\_\_ Sewer \_\_\_\_\_ Water & Sewer X  
 Date of Bill: 9/21/16 Billing Period from 6/21/16 to 9/21/16 Amount of Bill: \$ 396.42

Performed Leak Check? X Yes \_\_\_\_\_ No \_\_\_\_\_ Leaks Found? \_\_\_\_\_ Yes X No \_\_\_\_\_ How Many Fixtures? \_\_\_\_\_  
 If No: \_\_\_\_\_ Not schedule \_\_\_\_\_ Declined

Data Download? X Yes \_\_\_\_\_ No \_\_\_\_\_ Indicated Leaks? X Yes \_\_\_\_\_ No \_\_\_\_\_ Continuous \_\_\_\_\_ Intermittent X Both \_\_\_\_\_

Minimum Criteria Met? \_\_\_\_\_ Yes X No (100% or 35,000 gallons above average consumption)  
 Proof Leak Repaired? \_\_\_\_\_ Yes X No

**Partial Selectmen's Policy 08-30: Reasons for or against granting abatement request**

**Policy Procedure Line #2 (Against):** X In the event that a customer cannot determine the source or cause of the abnormally high consumption, the customer is required to hire a private licensed plumber to assist the customer in trying to determine said source or cause. If the plumber is unable to determine the source or cause of the abnormally high consumption, the Town can only speculate that the customer has located and repaired or corrected said source.

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

**Policy Procedure Line #4 (For):** \_\_\_\_\_ In the event the abnormally high consumption has occurred due to "unpredictable leakage" not caused by customer negligence, ignorance or unfortunate circumstances, as determined by Town staff and the Water & Sewer Advisory Committee, the Town shall consider granting a one-time abatement, per account, during any ten-year period, up to half of the water consumption above normal consumption.

Water & Sewer Department Actions Taken: leak check done; downloaded data to produce graphs of water usage; could not determine specific reason for high usage

**Receipt Portion**

Reviewed by: Matthew Berube Date of Review: 1/9/17

Comments: \_\_\_\_\_

Dept. of Public Works Recommendation: X Disapprove \_\_\_\_\_ Approve

Board of Selectmen Recommendation: \_\_\_\_\_ Disapprove \_\_\_\_\_ Approve

Abatement Amount: \$ 178.26 New bill total: \$ 218.16

BOS Approval/Disapproval Signature: \_\_\_\_\_ Date: \_\_\_\_\_

BOS Approval/Disapproval Signature: \_\_\_\_\_ Date: \_\_\_\_\_

BOS Approval/Disapproval Signature: \_\_\_\_\_ Date: \_\_\_\_\_

BOS Approval/Disapproval Signature: \_\_\_\_\_ Date: \_\_\_\_\_

BOS Approval/Disapproval Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**1 Crawford Avenue**

Total Usage=30,080 gallons

Previous 4 year 3rd-Q usage average-  $(20,220 + 17,140 + 16,230 + 15,200) / 4 = 17,198$  gallons

Excess above average- 12,882 gallons

Half of Excess gets abated- 6,441 gallons

What is Due vs Abatement?

**Due**

Half of excess	6,441	
Prev 3rd-Q usage average	17,198	
	<hr/>	
	23,639	billable gallons

Tier 1--2016 rates

Water	23,639 gal * \$6.86/1000 gal =	\$162.16
Sewer	23,639 gal * \$4.44/1000 gal =	\$104.96
		<hr/>
		\$162.16

**Total due= \$162.16**

**Abatement**

Total water/sewer bill = \$396.42 - \$56.00 = \$340.42 less service fee & certified mailing

Abate = \$340.42 - 162.16 = \$178.26

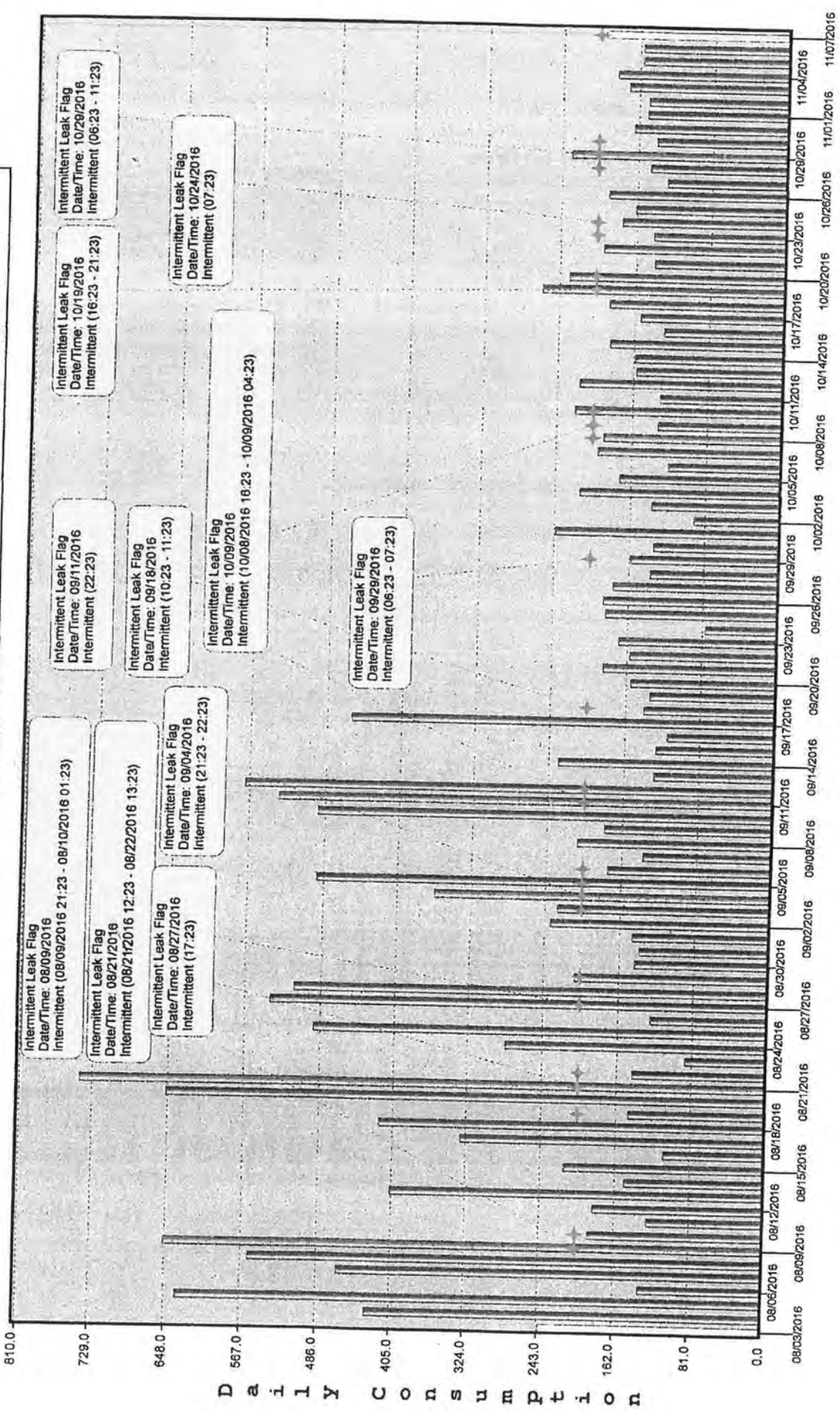
**Abate = \$178.26**

**New Bill Total with service fees added back**

\$162.16 + 56.00 = **\$218.16**

N\_SIGHT r300 Report  
E-Coder R900J Data Logging Report  
MIU#: 1834803883 Acct: Unknown Mtr #: 1834803883 Addr: 1 CRAWFORD AVENUE for 09/03/2016 through 11/07/2016, WATER, 5/8" - 1" T-10, GALLONS

Minor Reverse Flow Flag    Major Reverse Flow Flag    Intermittent Leak Flag    Continuous Leak Flag



Interval (Daily)

\*All time intervals are represented in standard time.





**TOWN OF EXETER  
WATER AND SEWER COLLECTION**

10 FRONT STREET  
EXETER, NH 03833-2792  
For Billing Questions: (603)773-6157 7:00am -3:00 pm  
EMAIL: watersewerbilling@exeternh.gov

**FOR PAYMENT QUESTIONS  
(603) 773-6108**

8:15 AM - 4:00 PM

179 1 AV 0.373 P:179 / T:1 / S:



CONLON PHILIP & ARLENE  
1 CRAWFORD AVE  
EXETER NH 03833-3002



**Note to Residents:**  
NEW 2016 WATER & SEWER RATES EFFECTIVE AS OF APRIL 2016

**Water**  
Tier 1: \$6.86 per 1,000 gallons of use up to 29,999 gallons per quarter.  
Tier 2: \$7.45 per 1,000 gallons of use from 30,000-194,999 gallons per quarter.  
Tier 3: \$8.00 per 1,000 gallons of use 195,000 gallons or more per quarter.  
Service Fee: \$28.00 per quarter (no change).

**Sewer**  
Tier 1: \$4.44 per 1,000 gallons of use up to 29,999.  
Tier 2: \$5.23 per 1,000 gallons of use 30,000 to 194,999.  
Tier 3: \$5.62 per 1,000 gallons of use 195,000 and above.  
Service Fee: \$28.00 per quarter (no change).

**BILL DETAILS** 92 Days of Water Usage Previous Read Date: 06/21/2016 - Read Date: 09/21/2016

ACCOUNT NO.	BILLING PERIOD	BILLING CYCLE	METER READINGS		USAGE
			PREVIOUS	PRESENT	
232353800	06/21/2016 - 09/21/2016	Quarterly	44470	74550	30080

Your average daily use was 326.96 gallons  
BILL DATE: 09/30/2016

BILLED TO:

WATER CONSUMPTION	6.860	\$	205.79
WATER CONSUMPTION	7.450	\$	0.60
WATER SERVICE FEE		\$	28.00
SEWER CONSUMPTION	4.440	\$	133.20
SEWER CONSUMPTION	5.230	\$	0.42
SEWER SERVICE FEE		\$	28.00
INTEREST		\$	0.01

SERVICE ADDRESS:  
1 CRAWFORD AVENUE

TOTAL CURRENT CHARGES	\$	396.01
PAST DUE	\$	0.40

Last Payment: \$243.24 made 08/03/2016

**12% ANNUAL INTEREST CHARGED  
IF NOT PAID BY DUE DATE.**

TOTAL AMOUNT DUE	\$	396.42
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OWNER is liable for all water bills even if not received & OWNER is responsible for preventing service pipes & meter from freezing during cold weather.  
All water passing through meter will be charged, whether used, wasted, irrigation system malfunction or lost by leakage.  
If we are unable to gain access to meter, or if meter is not working properly, an estimated bill will be mailed.  
FAILURE to make payment may result in disconnection of service.

PLEASE SEPARATE REMITTANCE STUB AT THIS PERFORATION AND RETURN WITH PAYMENT

**REMITTANCE STUB**



TOWN OF EXETER  
WATER AND SEWER COLLECTION  
10 FRONT STREET  
EXETER, NH 03833-2792

SERVICE LOC: 1 CRAWFORD AVENUE  
BILL#: 127023  
ACCOUNT NO.: 232353800  
AMOUNT DUE BY 10/31/2016 : \$396.42

MAKE CHECKS PAYABLE TO: TOWN OF EXETER  
Please include your account number on your check.

AMOUNT ENCLOSED

\$

CHECK HERE FOR ADDRESS CHANGES AND COMPLETE REVERSE SIDE.

CONLON PHILIP & ARLENE  
1 CRAWFORD AVENUE  
EXETER, NH 03833

TOWN OF EXETER  
WATER AND SEWER COLLECTION  
PO BOX 9520  
MANCHESTER NH 03108-9520



# Application for Use of Town Facility

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

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

Signboard Requested: Poster Board  Week: 12/4-12/17 Plywood Board  Week: 12/4-12/17

### Representative Information:

Name: John Moynihan Address: 5 Allard Street  
Town/State/Zip: Exeter, NH 03833 Phone: 603.312.2917  
Email: john@prescottpark.org Date of Application: 1/19/17

### Organization Information:

Name: Prescott Park Arts Festival Address: 105 Marcy Street  
Town/State/Zip: Portsmouth, NH 03801 Phone: 603.436.2848

### Reservation Information:

Type of Event/Meeting: Musical Production Date: 12/1-12/20  
Times of Event: Varies based on date Times needed for set-up/clean-up: 12/1-12/5 & 12/18-12/20  
# of tables: 0 # of chairs: 0

List materials being used for this event: \_\_\_\_\_  
Will food/beverages be served? Yes Description: Small concessions and beer/wine/water/soda

### Requirements:

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

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

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

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

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

Applicant signature: [Signature] Date: 1/19/17

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

Office Use Only:

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

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

**REVISED**

**HOUSE SCHEDULING NOTICE**

**Municipal and County Government**

**PUBLIC HEARING**

**Wednesday, 2/1/17**

Legislative Office Building 301

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10:00 a.m.	<b>HB 325</b>	permitting certain towns to appoint a town clerk.
10:20 a.m.	<b>HB 437</b>	relative to the authority of municipal law enforcement officers.
10:40 a.m.	<b>HB 481</b>	relative to the use of small capacity, light weight plastic bags by retailers.
11:00 a.m.	<b>HB 483</b>	prohibiting the issuance of a summons or warrant for failure to license a dog.
11:20 a.m.	<b>HB 565-FN-LOCAL</b>	relative to collection of delinquent property tax payments by manufactured housing owners.
11:40 a.m.	<b>HB 619-FN-LOCAL</b>	relative to medical services for prisoners.

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

**Sponsors:**

**HB 325**

Rep. Murphy

**HB 437**

Rep. Murphy

**HB 481**

Rep. Bartlett

Rep. Porter

Sen. Fuller Clark

**HB 483**

Rep. Sapareto

Rep. Doherty

Rep. Suzanne Smith

Sen. Watters

Rep. L. Ober

Rep. Shepardson

Rep. Oxenham

Rep. Notter

Rep. W. Pearson

Rep. Spang

Rep. Webb

**REVISED**

**HOUSE SCHEDULING NOTICE**

**Municipal and County Government**

**EXECUTIVE SESSION**

**Wednesday, 2/1/17**

**Legislative Office Building 301**

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1:00 p.m.    **HB 212-FN-LOCAL**    relative to police attendance at public meetings and functions.  
**HB 239**    establishing a committee to study reducing the cost of county government.  
**HB 272**    relative to the election of county commissioners in Carroll county.  
**HB 296**    allowing counties to authorize and fund forensic audits.  
**HB 120**    relative to deposit of county unassigned fund balances in a revenue stabilization reserve account.  
**HB 182**    relative to the adoption of a default budget.  
**HB 261**    relative to background checks for county employees.

**Sponsors:**

**HB 212-FN-LOCAL**

Rep. Steven Smith

**HB 239**

Rep. Cordelli

Rep. F. McCarthy

**HB 272**

Rep. Butler

**HB 296**

Rep. Buco

Rep. Nelson

Rep. Danielson

Sen. Fuller Clark

Rep. Buco

Rep. F. McCarthy

Rep. S. Schmidt

Rep. M. Smith

Sen. Sanborn

Rep. Knirk

Rep. Cordelli

Sen. D'Allesandro

Rep. Buco

Rep. Avellani

Committee Asst: Suzanne DeWitt  
Scheduled By: Suzanne DeWitt - 271-3317  
Created: January 24, 2017 11:13 a.m.

James P. Belanger, Chairman

available at the following link: [http://gencourt.state.nh.us/ethics/Financial\\_Disclosure/disclosureEForm.aspx](http://gencourt.state.nh.us/ethics/Financial_Disclosure/disclosureEForm.aspx), where you will find instructions on how to fill out the form and how to return it. If you choose to use the hard copy, please return your form to Rich Lambert in **Room 112 of the State House**. All legislators and legislative officers are required to complete and file a hard copy or E-Form with the Legislative Ethics Committee **no later than January 20, 2017**.

Richard M. Lambert, Executive Administrator  
Legislative Ethics Committee

### NOTICE

The House Calendar will close at **1:00 p.m. on WEDNESDAY** for **ALL reports, scheduling and notices**. Please be sure to do your scheduling in order to meet that deadline.

**CLOSES AT 1:00 p.m. ON:**

Wednesday, January 25, 2017  
Wednesday, February 1, 2017  
Wednesday, February 8, 2017

**AVAILABLE ON:**

Friday, January 27, 2017  
Friday, February 3, 2017  
Friday, February 10, 2017

Paul C. Smith, Clerk of the House

### 2017 HOUSE DEADLINES

Friday, January 27, 2017	Last day to introduce House Bills
	Last day to amend House Rules by majority vote
Thursday, February 9, 2017	Last day to report HBs going to a second committee
Thursday, February 16, 2017	Last day to act on HBs going to a second committee
Thursday, March 2, 2017	Last day to report all HBs not in a second committee, except budget bills
Thursday, March 9, 2017	Last day to act on HBs not in a second committee, except budget bills
Thursday, March 16, 2017	Last day to report all HBs, except budget bills
	Last day to report list of retained HBs
Thursday, March 23, 2017	Last day to act on all HBs, except budget bills
Thursday, March 30, 2017	Last day to report budget bills
Thursday, April 6, 2017	BUDGET CROSSOVER. Last day to act on budget bills
Thursday, April 27, 2017	Last day to report Senate Bills going to a second committee
Thursday, May 4, 2017	Last day to act on SBs going to a second committee
Thursday, May 25, 2017	Last day to report all remaining SBs
	Last day to report list of retained SBs
Thursday, June 1, 2017	Last day to act on SBs
Thursday, June 8, 2017	Last day to form Committees of Conference
Thursday, June 15, 2017	Last day to sign Committee of Conference reports
Thursday, June 22, 2017	Last day to act on Committee of Conference reports

### THURSDAY, JANUARY 26 CONSENT CALENDAR

#### CRIMINAL JUSTICE AND PUBLIC SAFETY

**HB 76**, relative to involuntary administration of medication to inmates with mental illnesses. **INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for Criminal Justice and Public Safety. The committee believes that this bill is unnecessary because the Department of Corrections stated that the issue is presently covered under RSA 627:6, VII and is very rarely used. The Department of Corrections also has policy PPD 6.18 and, again, uses this policy very few times. **Vote 18-1.**

**HB 100**, relative to the definition and use of toy smoke devices. **OUGHT TO PASS WITH AMENDMENT.** Rep. Jody McNally for Criminal Justice and Public Safety. This bill will legalize the sale of toy smoke devices as defined by the American Pyrotechnic Association and classifies the devices as consumer fireworks. Currently they are prohibited by inclusion with smoke bombs which are used by law enforcement. The toy smoke devices will only be sold to individuals 21 years of age or older and by licensed fireworks dealers. The amendment specifies that the bill will be effective on passage. **Vote 16-0.**



State of  
New Hampshire

# HOUSE RECORD

## First Year of the 165<sup>th</sup> General Court Calendar and Journal of the 2017 Session

Web Site Address: [www.gencourt.state.nh.us](http://www.gencourt.state.nh.us)

Vol. 39

Concord, N.H.

Friday, January 20, 2017

No. 8

Contains: Committee Reports and Amendments; Legislative Ethics Disclosure Form Notice;  
House Deadlines; Meetings and Notices

## HOUSE CALENDAR

### MEMBERS OF THE HOUSE:

The next House session will be Thursday, January 26, 2017, at 10:00 a.m.

For members who have not filled out and returned the back page of the *General Court's Policy Against Sexual and Other Unlawful Harassment and Discrimination*, please do so. It can be delivered to Legislative Accounting in Room 113 of the State House or in the drop-off basket located in the back of Representatives Hall. Your cooperation is greatly appreciated.

Please keep in mind that reimbursement for travel to Concord is limited to Tuesdays, Wednesdays and Thursdays, unless you have received prior approval from the Speaker or if you are a member of a statutory committee that meets on Mondays or Fridays.

Shawn N. Jasper, Speaker

### NOTICE

There will be a meeting of chairs and vice chairs on **Tuesday, January 24<sup>th</sup>, at 9:00 a.m.** in Rooms 202-204 of the Legislative Office Building.

Shawn N. Jasper, Speaker

### NOTICE

The Center for the Support of Families will present an overview for legislators on the recent report, *Quality Assurance Review of the Division for Children, Youth and Families*, on **Monday, January 23, 2017, at 1:00 p.m. in Representatives Hall**. This will also be live-streamed for access on the General Court website.

Shawn N. Jasper, Speaker

### NOTICE

There will be a Republican caucus on **Wednesday, January 25<sup>th</sup> from 9:00 a.m. to 10:00 a.m.** in Representatives Hall.

There will be a Republican caucus on **Thursday, January 26<sup>th</sup> at 9:00 a.m.** in Representatives Hall.  
Rep. Dick Hinch

### NOTICE

There will be a Democratic caucus on **Thursday, January 26<sup>th</sup> at 9:00 a.m.** in Rooms 210-211, LOB.  
Rep. Stephen Shurtleff

### NOTICE

#### LEGISLATIVE ETHICS COMMITTEE

#### Required Disclosure Filing

Copies of the "2017 Financial Disclosure Form," have recently been mailed to each member of the House. Members may fill out and file the paper form or file electronically with the Financial Disclosure E-Form

**HB 143**, relative to recommitment of a prisoner by the parole board. **OUGHT TO PASS.**

Rep. Robert Renny Cushing for Criminal Justice and Public Safety. This bill was requested by the Adult Parole Board to provide the board with additional discretion to determine an appropriate sanction for parolees who violate the conditions of their release. There are a small number of cases that the parole board deals with when, in the best judgment of the parole board members, a setback for violation of parole conditions should be less than 90 days. Examples of this would include a parolee testing positive for drug use, indicating a relapse, and intensive outpatient treatment might be preferable to incarceration, or a minor infraction such as failing to report on time for an appointment. The committee believes public safety is best served by passage of this bill to enable the parole board latitude to impose on a case-to-case basis a recommitment period of less than 90 days if it will aid in the rehabilitation of the inmate. **Vote 19-1.**

**HB 153-FN**, requiring a manslaughter charge for heroin and fentanyl dealers when the user dies. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry Gagne for Criminal Justice and Public Safety. This well-intended bill requiring a manslaughter charge for heroin and fentanyl dealers when the user dies is unnecessary and duplicative as RSA 318-B:26, IX already provides that any person who manufactures, sells or dispenses a controlled drug is strictly liable for a death resulting from use of that substance and may be sentenced to imprisonment for life or for such term as the court may order. **Vote 20-0.**

**HB 228**, relative to transportation of alcoholic beverages by a minor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Beth Rodd for Criminal Justice and Public Safety. The purpose of this bill, as amended, is to expand the eligible family members who may accompany a minor transporting alcoholic beverages in a car or boat to include siblings over the age of 25 years, a stepparent, grandparent, step grandparent or a domestic partner. **Vote 18-2.**

**HB 282**, relative to a prisoner's participation in the work release program. **INEXPEDIENT TO LEGISLATE.**

Rep. Shannon Chandley for Criminal Justice and Public Safety. The committee recognizes the good intentions of the sponsors and supporters of this bill. With few exceptions, members agree that the pursuit of higher education by prisoners is a worthy endeavor. As written, the bill did not adequately define "the pursuit of higher education" nor address practical issues such as dropped classes and acceptable institutions. Moreover, much of the testimony presented faulted the bill for removing the prosecutor of record and the court from the proceedings to determine eligibility for currently approved release options as defined in RSA 651. **Vote 18-2.**

## EXECUTIVE DEPARTMENTS AND ADMINISTRATION

**HB 107**, relative to the membership of the advanced manufacturing education advisory council. **OUGHT TO PASS.**

Rep. J.R. Hoell for Executive Departments and Administration. The bill adds one additional member, from a small high tech manufacturer, to the Advanced Manufacturing Education Advisory Council (AMEAC). The AMEAC felt that there was not adequate representation from the smaller high tech manufacturers (defined as having 20 or fewer employees) and asked to have this change made to the membership of the council. The committee heard no objections to this change. **Vote 17-0.**

**HB 255**, relative to allowing a designee for the commissioner of the department of administrative services on certain commissions. **OUGHT TO PASS.**

Rep. Peter Hansen for Executive Departments and Administration. This bill grants the Commissioner of the Department of Administrative Services the authority to appoint a designee to serve on the State Retiree Health Plan Commission and the Enhanced 911 Commission. This change will give the commissioner more flexibility to attend to other duties. All other commissions and statutory committees to which the commissioner has been appointed contain this provision. **Vote 10-1.**

## HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

**HB 200**, relative to Food and Drug Administration approval of medication, equipment, and therapies. **INEXPEDIENT TO LEGISLATE.**

Rep. Jess Edwards for Health, Human Services and Elderly Affairs. The FDA was established to ensure the safety and efficacy of drugs and subsequently medical devices. The committee understands the concerns regarding the speed and cost of the current FDA approval process. However, the charter of the committee follows the Hippocratic Oath to first do no harm. Current practice allows for investigational uses under institutional controls, and the committee is concerned that research essential to making data driven decisions would be undermined by its passage. The bill is deemed to represent the granting of exceptional latitude which will likely tend towards instances of significant harm. Therefore, the bill is recommended Inexpedient to Legislate. **Vote 19-0.**

**HB 256**, relative to self-ordering for laboratory testing. INEXPEDIENT TO LEGISLATE.

Rep. Jerry Knirk for Health, Human Services and Elderly Affairs. The committee had positive feelings about patient empowerment, but voted unanimously for ITL. The committee believed that the risks outweighed the benefits. A trusting physician-patient relationship is essential to medical decision making. Diagnosis and management of medical disorders relies more on the history and physical than lab tests. Incorrect self-diagnosis may lead to patient distress over a disease they do not have. **Vote 20-0.**

**HB 268**, establishing a committee to study the consequences of tobacco use by minors in New Hampshire. INEXPEDIENT TO LEGISLATE.

Rep. John Fothergill for Health, Human Services and Elderly Affairs. The committee unanimously voted to recommend ITL. The committee agrees the use of tobacco and vaping products by minors is a significant problem. However, many studies have been done and data is available. More studies are unnecessary. It is time to act and pass legislation to address the issues where possible. **Vote 19-0.**

**HB 269**, establishing a committee to study ways to educate New Hampshire families about lung cancer risks. INEXPEDIENT TO LEGISLATE.

Rep. John Fothergill for Health, Human Services and Elderly Affairs. The committee voted to recommend ITL on this bill because it is too broad and not fully researched. The committee agrees with the intention of the bill, which is to raise public awareness of radon and its relationship to Lung Cancer. The committee wondered if the states Radiation Advisory Committee might address these very issues, and would welcome more specific legislation to address these concerns. **Vote 19-0.**

**JUDICIARY****HB 178**, establishing a commission to study processes to resolve right-to-know complaints. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Linda Kenison for Judiciary. As amended, this bill as amended establishes a commission to study processes to resolve right-to-know complaints. Currently, the only recourse for right-to-know complainants is to bring a lawsuit. The sponsors are looking for a less costly and time-consuming remedy to resolve complaints. **Vote 18-0.**

**HB 183**, establishing a commission to study costs of requests for information under the right-to-know law. INEXPEDIENT TO LEGISLATE.

Rep. Michael Sylvia for Judiciary. This bill would establish a commission to study the costs for public bodies to comply with right-to-know requests under RSA 91-A. This body has heard a couple of bills in recent years seeking to impose fees associated with 91-A requests. It is the opinion of the committee that imposing such fees will hamper transparency in government and that public bodies have protection in the law enabling them to fend off overly broad and burdensome requests. **Vote 16-1.**

**HB 185**, relative to the powers of commissioners of deeds. INEXPEDIENT TO LEGISLATE.

Rep. Jason Janvrin for Judiciary. This bill proposes adding authority for commissioners of deeds to issue subpoenas outside the state and attempts to clarify the authority of the commissioner to act as a justice of the peace in and out of the state. The committee felt that current law is unambiguous and adding authority to the commissioner to subpoena outside the state is beyond the scope of the office. **Vote 16-1.**

**HB 187**, repealing exceptions to claims against the state. INEXPEDIENT TO LEGISLATE.

Rep. Jordan Ulery for Judiciary. This bill would repeal RSA 541-B:19 which provides immunity to state employees who operate within the scope of their job assignment and who act in a reasonable manner. The committee heard testimony that such repeal would have a detrimental effect on the ability of the state to hire and retain qualified employees. **Vote 18-0.**

**HB 188**, relative to the statute of limitations for continuing violations of rights which are guaranteed by the federal or state constitution. INEXPEDIENT TO LEGISLATE.

Rep. Michael Sylvia for Judiciary. This bill seeks to amend RSA 508:4 related to the statute of limitations for personal actions by adding a category "continuing violations of rights which are guaranteed by the federal or state constitution." There is no indication that this special category is not part of the broader category "personal action." In the general category of personal action there is an exception for damages that are not immediately discovered which can then reach back beyond the 3-year limit. This bill as written removes the special category from that exemption thereby holding to a strict 3-year statute of limitations. In summary this bill harms the people's right to personal actions. **Vote 18-0.**

**HB 241**, relative to the duties of and meeting requirements for the judicial council. INEXPEDIENT TO LEGISLATE.

Rep. Dan Hynes for Judiciary. This bill seeks to require the Judicial Council to publish its meeting notices in the legislative calendar, seeks to add an additional meeting that the Judicial Council feels is not necessary, and seeks to require public comment at its meetings on any issue. The Judicial Council has agreed to publish an agenda of meetings 10 days prior to its meetings. The committee unanimously felt the remainder of the bill's requirements were not necessary especially since there are other mechanisms available for citizens to be heard. **Vote 18-0.**



**HB 259-FN**, relative to the records of the probate court. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Timothy Horrigan for Judiciary. Registers of probate currently have very few remaining duties, but they are still responsible for preserving counties' historic probate court files. The secretary of state is responsible for preserving vital records in the state archives. This bill as amended formally empowers the secretary of state (and hence the state archivist) to work with the court system as well as with the registers of probate to preserve historically significant probate court records. **Vote 17-0.**

**HB 281**, relative to the jurisdiction of the board of claims. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Hull for Judiciary. This bill seeks to increase the monetary amount of a claim over which the board of claims has concurrent jurisdiction with the superior court. In light of the fact the existing monetary amount has not been exceeded, the committee felt this bill was unnecessary. **Vote 17-0.**

## LEGISLATIVE ADMINISTRATION

**CACR 1**, relating to the general court. Providing that the general court shall hold sessions biennially. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman Packard for Legislative Administration. This constitutional amendment would undo the will of the voters of New Hampshire who in 1984 voted to amend our constitution allowing for annual sessions. Testimony was offered by a member of the last constitutional convention who summarized why the issue was brought forward; namely that in the second year of a term while the House and Senate were not meeting, either it was left to five members of each body to determine essentially all matters that may have arisen, or there were countless numbers of special sessions. The sponsor suggested there would be cost saving measures should the amendment pass. However, the committee believes that may not be the case. In this day and age you would not be able to find enough part-time legislative staff who could commit to the needs of the institution and there would likely be more special sessions and numerous study committees and commissions as in the days before the annual sessions. Lastly, this committee does not believe that one small committee, no matter its composition, should be left to run all the affairs of the legislature for 18 months of a legislative term. **Vote 12-0.**

**CACR 5**, relating to the nomination and appointment of officers. Providing that judicial officers shall be confirmed by the legislature. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Nigrello for Legislative Administration. Currently, judicial officers are nominated and appointed by the Governor and Council. CACR 5 would amend the state constitution by requiring judicial officers to be nominated by the Governor or the Council and confirmed by a majority of the Legislature in joint session. Committee members were concerned about the length of time that judicial posts would be vacant and the possibility of dueling appointments by the Governor and the Council. There was also a concern about the politicizing of appointments. **Vote 12-0.**

**THURSDAY, JANUARY 26**  
**REGULAR CALENDAR**

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

**HB 278**, repealing criminal defamation. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Shannon Chandley for the **Majority** of Criminal Justice and Public Safety. This bill would eliminate the misdemeanor crime of defamation. The sponsor argued that those who are defamed are adequately served by civil law. The majority of the committee believes that the state may, under certain, albeit infrequent, circumstances, have an interest in prosecuting criminal defamation. Repealing the statute was deemed by most to be unnecessary. **Vote 14-6.**

Rep. John Burt for the **Minority** of Criminal Justice and Public Safety. The minority of the committee feels this bill is a housekeeping measure. The testimony from the state was that RSA 644:11 is almost never used, as it is too hard to prove in a court of law. If a person is defamed they could sue the person who defamed them in court, which is easier to prove.

**EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**HB 91**, relative to General John Stark Day. **OUGHT TO PASS.**

A Rep. J.R. Hoell for Executive Departments and Administration. Currently, General John Stark Day is celebrated on the fourth Monday of April in accordance with RSA 4:13-1. This bill changes one word in the statute, which moves the memorial date from the fourth week to the second week of the month. The current date of the annual proclamation does not coincide with either the birthday or death of Gen. Stark. Testimony to the committee and research showed no good reason to use the fourth week over the second week. The students who testified in favor of this change pointed out that the statute encourages schools to commemorate the day with appropriate educational activities and yet many schools have their spring break the fourth week. Moving the celebration two weeks earlier would allow more schools to participate in these activities. **Vote 15-0.**

**JUDICIARY**

**HB 206-FN-A**, establishing a special marriage officiant license. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill seeks to allow a new state license authorizing any individual to perform a single specified marriage for a fee of \$90, with \$80 of that going into the victim's assistance fund. The committee felt that charging over three times the amount called for judges or justices of the peace to perform the ceremony was excessive. Testimony indicated that town/city clerks might have serious problems certifying the completion of marriages if people from other states or countries failed to complete and return the paperwork. **Vote 13-5.**

**PUBLIC WORKS AND HIGHWAYS**

A **HB 105**, naming a building in honor of Van McLeod. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Virginia Irwin for Public Works and Highways. This bill as amended seeks to name a building which is the home of the Division of Cultural Resources, at 19 Pillsbury Street in Concord, New Hampshire after Van McLeod, the former Commissioner of the Division of Cultural Resources. Van McLeod served as Commissioner for 24 years, and his name is synonymous with arts, film, and culture in New Hampshire. There could be no more fitting tribute than to name this facility in his honor. **Vote 17-0.**

**FRIDAY, JANUARY 20**

**ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB**

9:00 a.m. Regular meeting.

**NEW HAMPSHIRE RAIL TRANSIT AUTHORITY (RSA 238-A:2), Room 203, LOB**

9:00 a.m. Regular meeting.

**MONDAY, JANUARY 23**

**CHILDHOOD LEAD POISONING PREVENTION AND SCREENING COMMISSION (RSA 130-A:19), Room 307, LOB**

2:30 p.m. Regular meeting.

**COASTAL MARINE NATURAL RESOURCES AND ENVIRONMENT COMMISSION (RSA 485-G:1), New Hampshire Fish and Game, 225 Main Street, Durham**

10:00 a.m. Regular meeting.

11:15 a.m. **CACR 6**, relating to conflict of interest. Providing that no member of the general court shall sponsor, advocate for, nor vote on any legislation which would create a financial conflict of interest.

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

**PUBLIC WORKS AND HIGHWAYS, Room 201, LOB**

10:15 a.m. Executive session if necessary.

**SCIENCE, TECHNOLOGY AND ENERGY, Representatives Hall**

10:00 a.m. **HB 592-FN**, repealing the regional greenhouse gas initiative.

1:00 p.m. **HB 141**, relative to electric renewable energy classes.

2:00 p.m. **HB 225**, repealing the electric renewable portfolio standard.

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

**STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2), New Hampshire National Guard Air Facility, 26 Regional Drive, Concord**

5:00 p.m. Regular meeting.

## WEDNESDAY, FEBRUARY 8

**EDUCATION, Room 207, LOB**

9:30 a.m. Executive session on **HB 647-FN-L**, establishing education freedom savings accounts for children with disabilities; **HB 155-FN**, relative to funding for kindergarten programs; **HB 641-FN-A**, relative to high school students participating in New Hampshire's dual and concurrent enrollment program and making an appropriation therefor; **HB 557-FN**, relative to school attendance in towns with no public schools; **HB 605-FN-A**, establishing a scholarship for students pursuing careers in the service of children and the elderly; **HB 556**, requiring schools to post the state telephone numbers to report child abuse; **HB 477**, relative to free speech on campuses in the university system and the community college system; **HB 395**, relative to state board of education rulemaking authority over home education programs; **HB 391**, relative to checklists in other districts; **HB 180**, requiring postsecondary education institutions to compile and submit reports on remedial education courses.

**LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Representatives Hall**

10:00 a.m. **SB 11-FN**, prohibiting collective bargaining agreements that require employees to join or contribute to a labor union.

10:05 a.m. **HB 520**, relative to right to work.

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

**PUBLIC WORKS AND HIGHWAYS, Room 201, LOB**

10:15 a.m. Executive session if necessary.

**SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB**

11:00 a.m. **HB 401**, relative to the implementation of the recommendations of grid modernization.

1:00 p.m. **HB 352-FN**, relative to the energy efficiency fund.

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

## FRIDAY, FEBRUARY 10

**STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I), Room 101, LOB**

9:30 a.m. Regular meeting.

**WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62), Room 307, LOB**

9:00 a.m. Regular meeting.

## MONDAY, FEBRUARY 13

**COMMITTEE TO STUDY RSA 461-A, RELATIVE TO PARENTAL RIGHTS AND RESPONSIBILITIES, Rooms 306-308, LOB**

9:00 a.m. Subcommittee work session on Sections A, B, C, and D.

**WAYS AND MEANS, Room 202, LOB**

- 9:30 a.m. **HB 534-FN**, relative to reporting of meals and rooms tax revenue by the department of revenue administration.
- 10:00 a.m. **HB 215**, establishing a commission to study the legalization, regulation, and taxation of marijuana.
- 10:30 a.m. **HB 644-FN-A-L**, extending the interest and dividends tax to capital gains, increasing exemptions from the tax, and providing for retirement system contributions on behalf of employers other than the state.
- 1:00 p.m. **HB 621-FN-A-L**, establishing a road usage fee and making an appropriation therefor.  
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

**FRIDAY, FEBRUARY 3****FINANCE, Rooms 210-211, LOB**

## Presentations:

- 1:00 p.m. Department of Health and Human Services: Medicaid Managed Care and Expanded Medicaid.
- 1:45 p.m. Department of Health and Human Services: Medicaid Enhancement Tax and Uncompensated Care.
- 2:30 p.m. Department of Health and Human Services: Mental Health.
- 3:15 p.m. Department of Health and Human Services: State and County Long Term Care Funding.

**MONDAY, FEBRUARY 6****NEW HAMPSHIRE COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H),  
New Hampshire Higher Education Assistance Foundation, 4 Barrell Court, Concord**

- 10:00 a.m. Special meeting.

**TASK FORCE ON WORK AND FAMILY (RSA 276-B:2, I), Room 207, LOB**

- 1:15 p.m. Regular meeting.

**TUESDAY, FEBRUARY 7****EDUCATION, Room 207, LOB**

- 10:00 a.m. **HB 641-FN-A**, relative to high school students participating in New Hampshire's dual and concurrent enrollment program and making an appropriation therefor.
- 11:00 a.m. **HB 647-FN-L**, establishing education freedom savings accounts for children with disabilities.  
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
- 1:00 p.m. Executive session on **HB 597-FN-L**, relative to calculating the cost of an opportunity for an adequate education and providing fiscal capacity disparity aid; **HB 603-FN-A**, establishing the John and Molly Stark student debt reduction program and making an appropriation therefor; **HB 604-FN-A**, establishing the John and Molly Stark workforce opportunity program and making an appropriation therefor; **HB 354-FN-A-L**, making an appropriation to the department of education to provide additional adequate education grant payments to certain municipalities; **HB 356-FN**, relative to the per pupil cost of an adequate education; **HB 525-FN**, relative to stabilization grants for education; **HB 583-FN**, relative to the calculation of average daily membership in residence and average daily membership in attendance.

**ENVIRONMENT AND AGRICULTURE, Room 303, LOB**

- 10:00 a.m. **HB 399**, relative to pesticide use and notification in places where children play.
- 1:00 p.m. **HB 612**, relative to livestock and meat inspection.  
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

**LEGISLATIVE ADMINISTRATION, Room 104, LOB**

- 10:00 a.m. **HB 213-FN**, relative to the mileage reimbursement rate for legislators and prohibiting deductions from compensation or mileage reimbursement of representatives.
- 10:20 a.m. **HB 541-FN**, relative to the compensation of members of the general court.
- 10:45 a.m. **HB 300**, requiring state employees and state public officials to display identification badges when attending meetings and hearings of the general court.
- 11:00 a.m. **HB 406**, establishing a committee to study procedures for a New Hampshire constitutional convention.

11:40 a.m. **HB 619-FN-L**, relative to medical services for prisoners.  
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

#### **Room 306, LOB**

1:00 p.m. Executive session on **HB 212-FN-L**, relative to police attendance at public meetings and functions; **HB 239**, establishing a committee to study reducing the cost of county government; **HB 272**, relative to the election of county commissioners in Carroll county; **HB 296**, allowing counties to authorize and fund forensic audits; **HB 120**, relative to deposit of county unassigned fund balances in a revenue stabilization reserve account; **HB 182**, relative to the adoption of a default budget; **HB 261**, relative to background checks for county employees.

#### **PUBLIC WORKS AND HIGHWAYS, Room 201, LOB**

10:15 a.m. **HB 563-A**, making an appropriation for the Carroll and Strafford counties freight rail improvements project and making an appropriation for the Coos county freight rail improvements project.  
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

#### **RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB**

10:00 a.m. **HB 393-FN**, relative to the Winnepesaukee river basin control program reserve account.  
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

1:00 p.m. Subcommittee work session on **HB 431**, establishing a commission to study long term goals and requirements for drinking water in the seacoast area; **HB 485**, relative to standards for emerging contaminants in drinking water.

#### **Room 104, LOB**

1:00 p.m. Subcommittee work session on **HB 195**, establishing a committee to study temporary seasonal docks.

2:00 p.m. Subcommittee work session on **HB 486**, relative to the protection of wetlands.

#### **SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB**

9:00 a.m. **HB 462**, relative to rules of the site evaluation committee.

10:00 a.m. **HB 162**, relative to the criteria for the issuance of certificates for the siting of high pressure gas pipelines.

11:00 a.m. **HB 493**, relative to evaluating the public interest of gas pipeline capacity contracts.

1:30 p.m. **HB 179**, relative to financing the construction of high pressure gas pipelines.

2:30 p.m. **HB 627-FN**, establishing the position of energy efficiency advocate.  
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

#### **STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 206, LOB**

10:00 a.m. **HR 8**, urging Congress to investigate the lawsuits against Trump University.

10:30 a.m. **HB 636-FN**, establishing a department of veterans affairs.

11:00 a.m. **HB 652-FN**, establishing a veterans track within the court system and relative to the inclusion of veterans benefits in the calculation of gross income for purposes of determining child support.

1:00 p.m. **HCR 9**, affirming states' powers based on the Constitution for the United States and the Constitution of New Hampshire.  
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

#### **TRANSPORTATION, Room 203, LOB**

10:00 a.m. **HB 570-FN**, relative to car and truck rental agency fleet vehicle registration.

10:45 a.m. **HB 579-FN**, relative to registration of semi-trailers.

1:00 p.m. **HB 314**, relative to autonomous vehicles.

2:00 p.m. Continued public hearing on **HB 90**, relative to eligibility for limited driving privilege after revocation or suspension.

2:30 p.m. **HB 598-FN-L**, relative to voluntary registration of motor vehicles.

3:00 p.m. **HB 315**, relative to persons who may accompany a youth operator of an OHRV or a snowmobile.  
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

4:00 p.m. Executive session on **HB 90**, relative to eligibility for limited driving privilege after revocation or suspension; **HB 102**, relative to mandatory headlamp use; **HB 196**, establishing a committee to study requiring passengers on school buses to wear seat belts.

- 10:45 a.m. **HB 649-FN**, making emergency medical technicians and rescue squad members eligible for a death benefit if killed in the line of duty.
- 11:15 a.m. **HB 631-FN**, establishing a cash balance pension plan for new hires and non-vested employees. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

**Rooms 301-303, LOB**

- 1:00 p.m. **HB 653-FN**, relative to health care premium contributions for Medicare eligible state retirees.
- 2:00 p.m. **HB 645-FN**, relative to retiree health care benefits for future retirees. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
- 3:30 p.m. Subcommittee work session **HB 542-FN**, relative to retired members employed in a part-time position by retirement system employers; **HB 543-FN**, relative to part-time employment by a retiree for a retirement system employer; **HB 561-FN**, relative to contributions by employers of part-time employees receiving retirement system pensions and relative to enforcement of provisions concerning retired members working part-time after retirement.

**FINANCE - DIVISION III, Rooms 210-211, LOB**

- 10:00 a.m. Division work session on **HB 387-FN-A**, making an appropriation to the department of health and human services for the developmental services system.
- 11:00 a.m. Division work session on **HB 370-FN-A**, making an appropriation for the purpose of meeting new federal regulations relative to child care; **HB 606-FN-A**, establishing a scholarship fund for health care providers who stay in New Hampshire for 5 years and making an appropriation therefor.

**FINANCE, Rooms 210-211, LOB**

- 1:30 p.m. Presentation by the Department of Health and Human Services.

**HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 205, LOB**

- 10:00 a.m. Continued hearing on **HB 257**, relative to the use of cloth diapers in licensed child day care centers.
- 11:00 a.m. **HB 536**, directing the wellness and primary prevention council to establish a system of family resource centers of quality.
- 1:15 p.m. **HB 630-FN-A**, relative to the establishment of a publicly transparent interdepartmental health information and analysis program for New Hampshire and establishing a special fund.
- 2:15 p.m. **HB 532-FN**, prohibiting persons who desecrate the American or New Hampshire state flag from receiving financial assistance. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

**JUDICIARY, Room 208, LOB**

- 10:00 a.m. **HB 578-FN**, relative to banning abortion after viability.
- 11:00 a.m. **HB 589-FN**, repealing the law relative to providing certain parameters for access to reproductive health care facilities.
- 1:30 p.m. **HB 614-FN**, relative to forfeiture of personal property.
- 2:30 p.m. Continued hearing on **HB 476**, relative to the duties of registers of probate. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

**LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB**

- 10:00 a.m. **HB 444**, relative to reports to the public employee labor relations board.
- 11:00 a.m. **HB 407-FN**, requiring workers' compensation to cover prophylactic treatment for exposure.
- 1:00 p.m. **HB 312-FN**, repealing the minimum wage law.
- 2:00 p.m. **HB 628-FN**, relative to a family and medical leave insurance program. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

**MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB**

- 10:00 a.m. **HB 325**, permitting certain towns to appoint a town clerk.
- 10:20 a.m. **HB 437**, relative to the authority of municipal law enforcement officers.
- 10:40 a.m. **HB 481**, relative to the use of small capacity, light weight plastic bags by retailers.
- 11:00 a.m. **HB 483**, prohibiting the issuance of a summons or warrant for failure to license a dog.
- 11:20 a.m. **HB 565-FN-L**, relative to collection of delinquent property tax payments by manufactured housing owners.

**Room 302, LOB**

- 9:00 a.m. Subcommittee work session on **HB 79-FN**, relative to New Hampshire products purchased and sold by the liquor commission; **HB 99**, relative to applicability of alcoholic beverage advertising restrictions; **HB 140-FN**, relative to sales and samples provided by wine manufacturers; **HB 152-FN**, relative to direct shipment of beer; **HB 279**, relative to smoking on private property; **HB 353-FN**, relative to sales of beer in refillable containers; **HB 358-FN**, repealing the loitering restrictions on premises of liquor licensees; **HB 377**, relative to marijuana sales; **HB 427**, allowing hobby distillation of liquors; **HB 549-FN**, relative to beverage vendor fees; **HB 555-L**, relative to the enforcement authority of the liquor investigators.
- 10:00 a.m. **HB 600-FN**, relative to requirements for certain alcoholic beverage licenses.
- 10:45 a.m. **HB 632-FN**, relative to appeals of liquor commission decisions.
- 11:15 a.m. **HB 590-FN**, establishing a state bank.
- 1:15 p.m. **HB 623-FN**, relative to animals abandoned in the foreclosure process.
- 1:30 p.m. **HB 611**, relative to portability, availability, and renewability of health coverage.
- 1:45 p.m. **HB 633-FN**, allowing health insurance policies to be sold without mandates.
- 2:00 p.m. **HB 654-FN**, relative to short-term and vacation rentals under the meals and rooms tax.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

**CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB**

- 8:30 a.m. Subcommittee work session on **HB 474-FN**, limiting the use of cell site simulator devices by law enforcement agencies.
- 9:00 a.m. Subcommittee work session on **HB 287**, establishing a committee to study decriminalizing sex work.
- 9:30 a.m. Subcommittee work session on **HB 283**, defining bodily injury in the criminal code.

**Representatives Hall**

- 10:00 a.m. **SB 12-FN**, repealing the licensing requirement for carrying a concealed pistol or revolver.
- 1:00 p.m. **HB 640-FN**, relative to the penalties for possession of marijuana.
- 2:00 p.m. **HB 656-FN-A-L**, relative to the legalization and regulation of marijuana.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

**EDUCATION, Room 207, LOB**

- 10:00 a.m. **HB 583-FN**, relative to the calculation of average daily membership in residence and average daily membership in attendance.
- 10:30 a.m. **HB 605-FN-A**, establishing a scholarship for students pursuing careers in the service of children and the elderly.
- 11:00 a.m. **HB 609-FN-A**, establishing a children's savings account program and making an appropriation therefor.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
- 1:00 p.m. Executive session on **HB 607-FN-A**, establishing a New Hampshire student access grant program; **HB 609-FN-A**, establishing a children's savings account program and making an appropriation therefor; **HB 386-FN**, relative to technical corrections to the education tax credit statute; **HB 412**, relative to the pre-engineering technology curriculum; **HB 554-FN**, relative to the assessment of deaf and hard-of-hearing children.

**ELECTION LAW, Room 308, LOB**

- 10:00 a.m. **HB 231**, relative to allocation of electoral votes.
- 10:30 a.m. **HB 320**, relative to procedures for apportioning electoral districts.
- 11:00 a.m. **HB 459**, relative to challenged voter affidavits.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
- 11:30 a.m. Executive session on **HB 240**, relative to state party conventions; **HB 497**, relative to delegates to national party conventions; **HB 379**, relative to political advertising in rights-of-way; **HB 453**, relative to vacancies in the office of supervisor of the checklist; **HB 203-FN-A**, establishing an independent redistricting commission; **HB 389**, relative to voters with physical disabilities; **HB 390**, relative to parties on certain election forms and ballots and relative to the voter registration form used on the day of the general election.

**EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB**

- 10:00 a.m. **HB 624**, relative to group II vested deferred retirements, the age of dependents in the retiree health plan, and retired judges' participation in the retiree health plan.

11:30 a.m. **HB 383**, naming a bridge in the city of Keene.  
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

**RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB**

10:15 a.m. **HB 582-FN-A**, relative to public bathing facilities.  
10:45 a.m. **HB 463-FN**, regulating groundwater pollution caused by polluting emissions in the air.  
1:00 p.m. **HB 591-FN**, relative to suction dredging in the surface waters of the state.  
1:30 p.m. **HB 608-FN**, requiring the state park system to use competitive bidding for the acquisition and resale of firewood.  
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

**SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB**

10:00 a.m. Full committee work session on **HB 324**, relative to the valuation of utility property; **HB 328**, relative to taxation of public utility infrastructure; **HB 344**, relative to access for low income ratepayers to renewable energy incentives and benefits; **HB 547-FN**, relative to the recycling and disposal of electronic waste.  
11:00 a.m. **HB 559-FN**, relative to expenditures from the energy efficiency fund.  
1:00 p.m. Continued public hearing on **HB 504**, relative to third party charges on utility bills.  
1:30 p.m. Continued public hearing on **HB 515**, relative to options for customers who are in arrears in utility bill payments.  
2:00 p.m. Transmission presentation.  
2:45 p.m. **HB 324**, relative to the valuation of utility property; **HB 328**, relative to taxation of public utility infrastructure; **HB 344**, relative to access for low income ratepayers to renewable energy incentives and benefits; **HB 547-FN**, relative to the recycling and disposal of electronic waste; **HB 198**, relative to the qualifications for the position of consumer advocate; **HB 238**, establishing a committee to study broadband access to the Internet.  
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

**WAYS AND MEANS, Room 202, LOB**

10:00 a.m. **HB 562-FN**, allowing online gambling.  
11:00 a.m. **HB 580-FN-A**, regulating online fantasy contests.  
1:00 p.m. **HB 398**, establishing a commission to study and evaluate providing financial incentives for professional media production activity in New Hampshire.  
1:30 p.m. **HB 566-FN-L**, repealing the community revitalization tax relief incentive.  
2:00 p.m. **HB 574-FN**, increasing the limit on contributions to the community development finance authority for which an investment tax credit may be taken.  
2:30 p.m. **HB 569-FN-A**, requiring the reimbursement of dedicated funds transferred for other purposes.  
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

**WEDNESDAY, FEBRUARY 1**

**ADVISORY COUNCIL ON LACTATION (RSA 275:76), Room 103, LOB**

11:00 a.m. Regular meeting.

**COMMERCE AND CONSUMER AFFAIRS, Room 303, LOB**

9:00 a.m. Subcommittee work session on **HB 308**, requiring propane companies to file notice with the register of deeds of underground propane tanks; **HB 331**, relative to the standard of review for government requirements on commercial enterprises; **HB 375**, relative to the penalties for failure to deliver goods under the Uniform Commercial Code; **HB 436**, exempting persons using virtual currency from registering as money transmitters; **HB 443**, prohibiting prescription drug manufacturers from offering copayment reimbursement; **HB 455-FN**, relative to the practices of pharmacy benefit managers; **HB 457-FN**, relative to consumer credit division entities; **HB 473**, relative to the sale of gift certificates; **HB 482**, requiring social media companies to remove subscriber information at the subscriber's request; **HB 502**, relative to the availability of condominium financial information to unit owners; **HB 523**, relative to limitations on the use of biometric information.



- 1:00 p.m. Executive session on **HB 84**, relative to carrying a loaded rifle, shotgun, or crossbow in a vehicle or boat; **HB 126**, prohibiting hunting on Willand Pond in Strafford county; **HB 132**, allowing hunting adventure permits to be used by certain non-resident applicants; **HB 190**, relative to the wildlife habitat account and the fisheries habitat account; **HB 224-FN**, repealing the provision for nonresident student hunting and fishing licenses; **HB 381-FN**, relative to cruelty to non-captive wildlife; **HB 428-FN**, relative to crossbow hunting by persons 68 years of age and older; **HB 467**, relative to the duties of the fish and game commission.

#### **HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 205, LOB**

- 9:00 a.m. Subcommittee work session on **HB 208**, establishing a commission to study current mental health procedures for involuntary commitment.
- 10:00 a.m. **HB 469**, establishing a continuous quality improvement program for pharmacies.
- 11:00 a.m. **HB 550-FN**, establishing a controlled drug scientific review board.
- 1:15 p.m. **HB 528-FN**, establishing a municipal opioid reversal agent bulk purchase fund
- 2:15 p.m. **HB 601-FN-L**, relative to referral to the Sununu Youth Service Center of youths administered Narcan by a first responder for a heroin overdose.
- 3:15 p.m. **HB 602-FN-A**, prohibiting placement of certain persons with mental illness in the secure psychiatric unit, establishing a secure psychiatric hospital oversight commission, and appropriating funds to develop plans for a secure therapeutic psychiatric hospital facility.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

#### **JUDICIARY, Room 208, LOB**

- 10:00 a.m. **HB 635-FN**, requiring a non-client public protection and recovery fund to be administered by the supreme court.
- 10:30 a.m. **HB 617-FN**, relative to jury trials for imposition of fines in zoning violations.
- 11:00 a.m. **HB 596-FN**, relative to review hearings in involuntary admission cases.
- 1:15 p.m. **HB 439**, applying the rape shield law to all state courts.
- 2:00 p.m. **HB 545**, relative to immunity from prosecution for persons involved in an alcohol or drug-related emergency.
- 2:45 p.m. **HB 490**, relative to certain citizens having standing to sue school boards.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

#### **LEGISLATIVE ADMINISTRATION, Room 104, LOB**

- 10:00 a.m. **HJR 1-FN-A**, making restitution to Jeffery Frost for inappropriate prosecution.
- 10:15 a.m. **HJR 2-FN-A**, making an appropriation for restitution to Joseph Haas as a result of failure of the clerk of the supreme court to process a notice of errors.
- 10:30 a.m. **HJR 3-FN-A**, requiring payment of certain money to Timothy Rioux due to malfeasance of a judge in a child support reduction case.
- 11:00 a.m. **HB 232**, relative to reporting of a legislator's personal interest in legislation.
- 11:20 a.m. **HB 243**, relative to the seal of the general court.
- 11:40 a.m. **HB 244**, relative to the right of attendance by general court members at legislative proceedings.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

#### **MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB**

- 10:00 a.m. **HB 456**, relative to petition articles in the warrant of a cooperative school district.
- 10:20 a.m. **HB 491-L**, relative to default budgets.
- 10:40 a.m. **HB 495**, relative to amendments to warrant articles.
- 11:00 a.m. **HB 514**, relative to alternate members of an elected planning board.
- 11:20 a.m. **HB 564**, relative to information available to members of school boards or budget committees.
- 11:40 a.m. **HB 568-FN**, relative to the taxability of lease interests in public property.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
- 1:00 p.m. Executive session on **HB 144**, relative to procedures for adoption of the budget for Rockingham County; **HB 167**, relative to audits of county funds; **HB 189**, establishing a homestead right; **HB 230**, relative to the referendum procedure for public water systems; **HB 223**, prohibiting recipients of county or municipal funds from using such funds for lobbying.

#### **PUBLIC WORKS AND HIGHWAYS, Room 201, LOB**

- 10:15 a.m. **HB 426-FN**, relative to hazardous duty pay for certain department of transportation employees.
- 11:00 a.m. **HB 508**, naming the New Hampshire Army National Guard Regional Training Institute and Barracks facility in Pembroke after Colonel Edward Cross.

- 1:00 p.m. **HB 626-FN**, relative to annulment of criminal records.  
 1:45 p.m. **HB 558-FN**, prohibiting private and for-profit prison contracts, and relative to immigration detention facilities.  
 2:30 p.m. **HB 613-FN**, amending the procedures for use of segregated housing for inmates.  
 Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

**EDUCATION, Room 207, LOB**

- 10:00 a.m. **HB 603-FN-A**, establishing the John and Molly Stark student debt reduction program and making an appropriation therefor.  
 10:45 a.m. **HB 604-FN-A**, establishing the John and Molly Stark workforce opportunity program and making an appropriation therefor.  
 11:30 a.m. **HB 607-FN-A**, establishing a New Hampshire student access grant program.  
 1:00 p.m. **HB 597-FN-L**, relative to calculating the cost of an opportunity for an adequate education and providing fiscal capacity disparity aid.  
 Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.  
 2:00 p.m. Executive session on **HB 221**, relative to the national guard scholarship fund and the New Hampshire national guard education assistance act; **HB 226**, relative to documenting the improvement of non-proficient readers; **HB 339**, relative to reimbursement of transportation costs for students attending a career and technical education center; **HB 396**, relative to student assessment data privacy.

**ENVIRONMENT AND AGRICULTURE, Room 303, LOB**

- 10:00 a.m. Executive session on **HB 101-FN**, relative to certification for solid waste operators; **HB 151**, relative to industrial hemp as a controlled substance; **HB 289**, allowing humane societies to place tourist oriented directional signs on the side of the road; **HB 290**, relative to rabies vaccination protocols for companion animals; **HB 291-FN**, removing veterinarians from compliance with the controlled drug prescription health and safety program.

**EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 308, LOB**

- 9:00 a.m. Subcommittee work session on **HB 192**, relative to rulemaking of the department of corrections.

**Room 306, LOB**

- 10:00 a.m. **HB 517**, relative to the function and organization of the department of administrative services risk management unit and division of personnel.  
 10:45 a.m. **HB 595-FN**, relative to positions in the corporations division of the secretary of state's office.  
 Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.  
 11:00 a.m. Presentation on performance audits.  
 1:00 p.m. **HB 593-FN**, granting group II retirement system status to certain positions in the department of corrections.  
 1:45 p.m. **HB 421-FN**, relative to revocation of retirement and other benefits for persons convicted of certain crimes while in public service.  
 2:30 p.m. **HB 540-FN**, relative to funding for climate change adaptation.  
 3:00 p.m. **HB 599-FN**, establishing the office of ombudsman in the department of state.  
 Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

**FINANCE, Rooms 210-211, LOB**

- 9:45 a.m. Executive session on **HB 423-FN**, relative to funding for fire standards instruction.  
 10:00 a.m. Presentation by the Department of Resources and Economic Development.  
 10:30 a.m. Special briefing by the Department of Education: Education Aid Funding.  
 1:00 p.m. **HB 370-FN-A**, making an appropriation for the purpose of meeting new federal regulations relative to child care.  
 1:45 p.m. **HB 409**, relative to the reporting of the higher education fund within the state operating budget.  
 2:15 p.m. **HB 571-FN-A**, making an appropriation to the New Hampshire Internet crimes against children task force.  
 2:45 p.m. **HB 606-FN-A**, establishing a scholarship fund for health care providers who stay in New Hampshire for 5 years and making an appropriation therefor.  
 3:10 p.m. **HB 584-FN**, relative to chartered public school funding.

**FISH AND GAME AND MARINE RESOURCES, Room 307, LOB**

- 12:00 p.m. Subcommittee work session on **HB 381-FN**, relative to cruelty to non-captive wildlife.

rier and wanted to bond funds to somehow improve this service. Bonds typically finance large projects with a 10 to 20 year payback period. Projects of such magnitude have been tried by other municipalities around the country with disastrous financial and policy consequences. A murky regulatory environment and the possibility of fiscal risk make this bill untenable. **Vote 14-7.**

Rep. Marjorie Shepardson for the **Minority** of Science, Technology and Energy. Broadband access is widespread in New Hampshire, but many areas are underserved or have spotty coverage. Some towns would like to bond for broadband infrastructure in their town, to improve access to one or more areas where residents and/or businesses currently have inadequate coverage. This could lead to more competitive prices and more widespread coverage. Municipalities such as Hanover, Peterborough, Keene, and Lyme have urged the Legislature to allow them to exercise local control and make these decisions for themselves, rather than being told that the Legislature knows best and is going to protect the people from themselves. This is simply enabling legislation that doesn't require anything of a municipality. A town would have to get the usual 2/3 vote from their residents for a bond.

## FRIDAY, JANUARY 27

### ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Room 303, LOB

9:30 a.m. Regular meeting.

### COMMISSION TO REVIEW CHILD ABUSE FATALITIES (RSA 169-C:39-k), Room 100, SH

1:00 p.m. Regular meeting.

### INFORMATION TECHNOLOGY COUNCIL (RSA 21-R:6), State Liquor Commission, 50 Storrs Street, Concord

9:30 a.m. Regular meeting.

## MONDAY, JANUARY 30

### CHILDREN'S SAVINGS ACCOUNT PROGRAM COMMISSION (RSA 195-J:1), Room 207, LOB

10:00 a.m. Regular meeting.

### EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

9:00 a.m. Subcommittee work session on **HB 97-FN**, relative to the use of drones.

### OIL FUND DISBURSEMENT BOARD (RSA 146-D:4), Room 305, LOB

9:00 a.m. Regular meeting.

## TUESDAY, JANUARY 31

### CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Executive session on **HB 355-FN**, relative to criminal record checks in adoption proceedings and foster family home licensing; **HB 338**, relative to grounds for termination of parental rights; **HB 326**, regarding immunity under the child abuse reporting law; **HB 499**, relative to the age at which certain persons may marry.

1:00 p.m. **HB 646-FN**, relative to the placement and detention of a minor in a secure facility. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

### COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

9:00 a.m. Subcommittee work session on **HB 330-FN**, relative to form and rate filing fees; and **HB 510**, relative to medical insurance covering automobiles.

10:00 a.m. **HB 308**, requiring propane companies to file notice with the register of deeds of underground propane tanks.

10:15 a.m. **HB 501**, relative to access to minutes of meetings of condominium unit owner's associations.

10:45 a.m. **HB 502**, relative to the availability of condominium financial information to unit owners.

11:30 a.m. **HB 527**, relative to confidentiality of forms and rates.

1:15 p.m. **HB 385**, relative to notice for foreclosures.

1:45 p.m. **HB 457-FN**, relative to consumer credit division entities.

2:15 p.m. **HB 482**, requiring social media companies to remove subscriber information at the subscriber's request.

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

### CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:30 a.m. **HB 643-FN-A**, mandating the wearing of body cameras by certain law enforcement officers.

State, and a minimum of 5 board members for each of those non-profits, the Governor and Council would need to appoint almost 250 people to these positions. The committee felt that this change would add an unnecessary burden to these schools. A landmark US Supreme court case from 1819, *Dartmouth College v. Woodward*, was referenced at the hearing. In that case, private charters were determined to be contracts between private parties and cannot be "re-written" at will by an act of the Legislature. Additionally, non-profit board positions are typically hard to fill, and this additional step could make it even harder for those positions to be filled and for schools to function. Furthermore, the committee felt that the current statutes that regulate non-profits provide sufficient oversight of the chartered schools. **Vote 13-4.**

Rep. Carol Roberts for the **Minority** of Executive Departments and Administration. The minority does not agree with disposing of this bill immediately. While not proposing to pass HB 125 as it stands today, we believe this bill addresses some legitimate issues.

**HB 209**, relative to the adoption of Atlantic standard time. **OUGHT TO PASS.**

Rep. John Sytek for Executive Departments and Administration. This bill would move New Hampshire into the Atlantic time zone from its present Eastern time zone. This change would occur only if Massachusetts enacts the change to Atlantic time. This change has some desirable features such as shifting more daylight into the typical day of most people. It would also remove the twice yearly shift to and from daylight saving time. More practically, if Massachusetts goes forward and New Hampshire does not, we would be left with the perpetual inconvenience of a time clock change every time we crossed the border. Rhode Island and Maine are considering similar legislation. **Vote 14-4.**

## FINANCE

**HB 119-FN-A-LOCAL**, making appropriations to the department of environmental services for the purpose of funding eligible drinking water and wastewater projects under the state aid grant program. **INEXPEDIENT TO LEGISLATE.**

Rep. J. Tracy Emerick for Finance. This bill proposes to fund 13 drinking water projects via grants at a cost of \$2.228 million over the biennium, but the Department of Environmental Services (DES) testified that only 12 of the 13 were currently eligible for funding. The 13th project has not yet met statutory criteria for inclusion. Funds for eligible drinking water and wastewater projects are normally included in the DES budget. The agency also testified that monies for these grants were requested in the agency budget. During the public hearing several people testified that the current Governor had been asked during the campaign if he supported funding these projects, and he responded affirmatively. Therefore, this bill is not needed because the committee expects funding will be included in the budget. **Vote 18-4.**

## SCIENCE, TECHNOLOGY AND ENERGY

**HB 146**, relative to the definition of energy cost saving measure and relative to energy performance contracting. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Herbert Vadney for the **Majority** of Science, Technology and Energy. This bill concerns performance contracts between the state or a municipality and a private entity that provides energy performance improvements to state or municipal facilities. Such contracts are used to finance these improvements, the cost of which is recouped by the private entity through the value of the energy saved by the energy projects. Part of the impetus for the bill was to help the soon to be defunct Concord Steam project, which was an issue too big for small fixes such as this. In committee it was shown there were many open issues with this approach and possibly unanticipated consequences that had not been adequately investigated. The majority voted to not move forward with this proposal. **Vote 16-5.**

Rep. Robert Backus for the **Minority** of Science, Technology and Energy. This bill, requested by the Department of Administrative Services, would allow the department to pursue projects that achieve either energy cost savings or savings on utility cost. Today the department only has authority to undertake projects that achieve savings in energy costs. Although the minority agrees some further work on the bill might be worthwhile, the minority believes that the goal of achieving all cost effective savings should not be delayed.

**HB 191-LOCAL**, relative to the authority of towns to issue bonds for the expansion of Internet service. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael Vose for the **Majority** of Science, Technology and Energy. This bill seeks authority to permit towns to issue bonds for the purpose of expanding broadband internet service. On the surface, the underlying issue here appears to be local control which most of us endorse and support. But a deeper look reveals that a more important concern is that of allowing municipalities to compete with private business in the delivery of broadband services. Such competition could discourage commercial broadband suppliers from expanding or upgrading their existing infrastructure. It could also create the potential for a conflict of interest whereby the taxing franchising authority over a current broadband carrier could become a competitor of that carrier. Testimony revealed that two New Hampshire communities were disappointed with their local broadband car-

Rep. Glenn Cordelli for the **Minority** of Education. The minority believes that school discipline is a local control issue. The bill states that no student in kindergarten through grade two can be expelled. We believe the bill is well-intentioned, but ties the hands of local school districts.

**HB 270**, establishing a committee to study suspensions and expulsions in middle and high schools. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James Grenier for the **Majority** of Education. This bill would establish a committee to study suspensions and expulsions of children in middle and high schools. From testimony provided by the department of education it was determined that schools already have this data on the local level. The problem in reporting this data to the Department of Education is that they are not filing sufficient options to identify reasons for a student suspension or expulsion. In lieu of this bill, the committee chose to communicate directly with the department regarding the need to improve the data gathering system through identifying reporting options that note reasons for suspension or expulsion beyond the category of "other." The department agreed to look into this reporting matter. Therefore, there is no need for this bill. **Vote 11-8.**

Rep. Mel Myler for the **Minority** of Education. The minority believes there needs to be a deeper review of the issues surrounding the suspensions and expulsions of students in middle and high schools. Having greater understanding of the causes of suspensions and expulsions can provide the information necessary to implement intervention strategies to support positive student behaviors. For these reasons we feel further study is needed.

**HB 276**, relative to student exemption from the statewide assessment. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for the **Majority** of Education. This bill allows parents to opt their children out of the statewide assessment without penalties to the student or district. The majority believes that a student's participation in statewide assessment should be a parental decision made without pressure of repercussion. **Vote 12-7.**

Rep. Mary Heath for the **Minority** of Education. This bill amends the state law requiring all NH children to participate in the statewide assessment and it fails to recognize and honor the NH Supreme Court ruling that identifies the assessment as a means to determine an adequate education. As written, this bill could jeopardize significant federal dollars for NH schools and districts if the 95 percent rule for assessment participation is not met. Additionally, by allowing any parent to opt out of the NH statewide assessment for arbitrary reasons, the local school districts and the state lose their ability to determine instructional accountability for all NH children, thus threatening educational equity. How will we know whether all children are succeeding? How will we determine whether all the identified subgroups such as English language learners, special education students, and economically disadvantaged students are meeting their designated learning goals? Finally, the Elementary and Secondary Education Act of 1965 was just reauthorized in December 2016 as the Every Student Succeeds Act for which a new administration will be establishing rules and guidelines. It is premature to pass this measure at a time when federal guidelines are in flux.

**HB 297-FN**, repealing the education tax credit program. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Glenn Cordelli for the **Majority** of Education. This bill is another attempt to repeal the successful education tax credit scholarship program that provides school choice options for low and middle income students. The only difference between this bill and HB 129 is the effective date. **Vote 12-7.**

Rep. Mel Myler for the **Minority** of Education. The minority believes that education vouchers are bad public policy. Instead of contributing their business profits and business enterprise taxes to state coffers, a business can deflect 85% of their tax obligation. In 2016, businesses redirected \$385,000 away from state tax revenue to provide 177 scholarships averaging about \$2,500 each. Close to 70% of the funds went to students attending religious schools. Consequently, the state collected less tax revenue for the public and encouraged the flow of would-be tax dollars to private and religious education. This is bad educational policy. Further, there is little oversight from the legislature, department of education, or department of revenue administration on the program. For these reasons we feel that the education scholarship/business tax credit program should be repealed.

## **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**HB 125**, relative to chartered public school boards of trustees. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. J.R. Hoell for the **Majority** of Executive Departments and Administration. The bill sought to make a significant change to the method of appointment of the members of the Boards of Trustees of chartered public schools. Currently, chartered public school boards appoint their own members with a minimum of 25% of the members being parents of students at the chartered school and no greater than 25% of the members being current local public school board members. The change proposed by this bill is to require the Governor, with concurrence of the Council, to appoint the board members of these chartered schools. The prime sponsor testified that this change was necessary due to insufficient oversight of the chartered schools. Numerous concerns were raised during the hearing: with 47 chartered public schools listed at some status with the Secretary of

**THURSDAY, FEBRUARY 2  
REGULAR CALENDAR**

**EDUCATION**

**HB 103**, relative to school district policies regarding objectionable course material. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Victoria Sullivan for the **Majority** of Education. This bill requires school districts to provide at least two weeks' notice to parents and legal guardians of certain subject material, specifically material relating to human sexuality and human sexual reproduction, prior to instruction. This would allow parents to open a conversation with their children about the topic prior to the lesson and to follow up with them after the fact, when they may have questions. This bill amends RSA 186:11 which allows parents to opt their child out of what they may consider to be objectionable course material, but does not require any parental notification of such material. This will correct that weakness in the law and provide an opportunity for parents to work together with their child's school. **Vote 12-7.**

Rep. Mary Heath for the **Minority** of Education. This bill calls upon local school districts to create policies related to objectionable course materials and includes a requirement that parental notification be provided by the school at least two weeks prior to the lesson. The current legislation defines the policy, but this bill mandates the manner in which local districts implement the policy which can be construed as a legislative overreach. School districts already have such policies. The New Hampshire School Boards Association, the New Hampshire School Administrators Association, and the American Civil Liberties Union oppose this bill as having unintended consequences and limiting school districts. Most school districts have a process in place and this dictate will not solve a problem. Furthermore, this bill jeopardizes the young people of NH's ability to get the critical information they need to make healthy lifelong choices. Governor Hassan vetoed an identical bill and pointed out that the bill would not only "create an even greater stigma concerning sex education and lead to fewer students having access to important health education," but that it is likely to "affect a wide range of curricula – including science and the study of important literature." Additionally, the National Education Association reports that this bill places an additional non-instructional burden on classroom teachers that may limit instructional options.

**HB 129-FN**, repealing the education tax credit. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Glenn Cordelli for the **Majority** of Education. The majority believes that the education tax credit scholarship program has been a great success and provides school choice options to parents who would otherwise not have these options. This bill would repeal this important program. We believe more options are needed to enable parents to find the best education program for their children. **Vote 12-7.**

Rep. Mel Myler for the **Minority** of Education. The minority believes that education vouchers are bad public policy. Instead of contributing their business profits and business enterprise taxes to state coffers, a business can deflect 85% of their tax obligation. In 2016, businesses redirected \$385,000 away from state tax revenue to provide 177 scholarships averaging about \$2,500 each. Close to 70% of the funds went to students attending religious schools. Consequently, the state collected less tax revenue for the public and encouraged the flow of would-be tax dollars to private and religious education. This is bad educational policy. Further, there is little oversight from the legislature, department of education, or department of revenue administration on the program. For these reasons we feel that the education scholarship/business tax credit program should be repealed.

**HB 148**, relative to chartered public school teacher qualifications. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Carolyn Halstead for the **Majority** of Education. Current law requires at least 50 percent of a charter school's teachers be state certified. This bill would require 100 percent of a charter school's teachers to be state certified. The majority feels that while teacher certification has its benefits, there are also benefits to non-certified, but uniquely qualified teachers. Parents choose charter schools for their children with knowledge of the school's ratio of certified teachers. The majority found the testimony did not support the notion that current law needed to be changed. **Vote 12-7.**

Rep. Linda Tanner for the **Minority** of Education. The minority feels in order to maintain a standard of professional instruction within the public chartered schools, the percentage of certified teachers needs to be above 50 percent as presently prescribed.

**HB 216**, relative to the procedure for expulsion of certain pupils. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Shaw for the **Majority** of Education. This bill amends RSA 193:13, II-IV to prohibit school expulsion for students in kindergarten through grade two, but allows suspension for specific offenses. Expulsion continues to be permitted for specific offenses in grades three through twelve. Additionally, existing law states that local school boards shall adopt a policy allowing the superintendent or chief administering officer to modify expulsion requirements for pupils in grades three through twelve on a case-by-case basis. **Vote 11-8.**

## PUBLIC WORKS AND HIGHWAYS

**HB 142-FN-A**, making a capital appropriation for construction of a new tenth circuit district court facility in Hampton. **INEXPEDIENT TO LEGISLATE.**

Rep. John Graham for Public Works and Highways. During the 2015-16 session the General Court appropriated money for the purchase of land to build two circuit courts; one in Hampton and one in Milford. It did not appropriate monies for the construction of either court facility. While the committee understands the perceived need to proceed with the construction of the court in Hampton we feel that this bill is premature. The Governor will present his request for capital projects in February and the House will then hold hearings on all requests for capital expenditures. This item will be considered with all other requests for prioritization within the state's Capital Budget. The committee therefore recommends that this bill be found inexpedient to legislate. **Vote 18-1.**

## STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

**HB 93**, relative to the rights of inhabitants and their political choice. **INEXPEDIENT TO LEGISLATE.**

Rep. Brandon Phinney for State-Federal Relations and Veterans Affairs. This bill addresses the rights of the inhabitants in New Hampshire, specifically citing the I5 Statutes at Large, Chapter 249, entitled "The Rights of American Citizens in Foreign States." Each individual born is a sovereign individual as an American. The bill gives people the ability to declare their political status, which is unnecessary, as there are already federal laws in place that address this issue in U.S. Code 1481. **Vote 18-0.**

**HCR 1**, urging Congress to support and fund rural transit initiatives. **OUGHT TO PASS.**

Rep. Reed Panasiti for State-Federal Relations and Veterans Affairs. This resolution urges the United States Congress to explore and support public transportation alternatives, and to appropriate funds, for rural transit initiatives in counties with populations under 100,000. Rural counties with limited resources and aging populations in New Hampshire, and throughout our nation, need more help in providing public transportation to individuals unable to drive or own a motor vehicle. Such transportation in less-populated rural areas doesn't necessarily mean large buses. It could be done with less expensive vans, cars and more promotion of the existing Volunteer Driver Program. This program which matches up individuals who need rides with available drivers, who are simply reimbursed or the use of their personal vehicles at the federal mileage rate. **Vote 16-1.**

## TRANSPORTATION

**HB 128**, requiring pedestrians to obey signals at railroad grade crossings. **INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for Transportation. This bill would make the rules of the road pertaining to railroad crossings applicable to pedestrians and motor vehicles. This ignores an important distinction. The pedestrian has a greater degree of control to avoid a train. Keeping the more serious charges of criminal trespass in place for individuals interfering with a train right of way is the proper course of action. **Vote 17-0.**

**HB 234**, relative to alteration of speed limits. **INEXPEDIENT TO LEGISLATE.**

Rep. Chris True for Transportation. The committee finds that this bill is already addressed by RSA 265:63, Alteration of Limits, making it unnecessary. **Vote 17-0.**

**HB 237**, establishing a committee to study helmet and restraint laws for youth operators and passengers of OHRVs and snowmobiles. **OUGHT TO PASS.**

Rep. Thomas Walsh for Transportation. Issues dealing with growth of OHRV use in the state were studied at length in the summer of 2016, resulting in several pending bills. Information on the topic of helmet and restraint use for youth operators and passengers of OHRVs and snowmobiles was not available in time for to produce a recommendation for legislation in the 2017 session. This bill allows for a new study committee to receive data from Fish and Game on helmet and restraint use for youth operators and passengers of OHRVs and snowmobiles and report its findings. **Vote 17-0.**

## WAYS AND MEANS

**HB 104**, repealing the commuters income tax. **OUGHT TO PASS.**

Rep. Timothy Lang for Ways and Means. This bill is a commuter income tax that was found to be unconstitutional and the statutes were never updated to reflect this status. This is a housekeeping measure to clear up the statutes. **Vote 17-0.**

**HB 262**, establishing the blackberry as the state berry. **OUGHT TO PASS.**

Rep. Raymond Gagnon for Executive Departments and Administration. The committee supports and applauds the efforts of the fourth grade students from the Simonds Elementary School in Warner to have the blackberry designated as the state berry. The blackberry is a native fruit found in all ten of New Hampshire's counties and is ideal for growing in the state's rocky soil. Some on the committee envision a number of potential marketing opportunities for New Hampshire growers in marketing the sale of blackberries and related products at farm stands and farmer's markets throughout the state. **Vote 12-1.**

**HB 301**, relative to the regulation of electric grills. **OUGHT TO PASS.**

Rep. Mark Proulx for Executive Departments and Administration. This bill allows the use of electric grills on balconies and decks, without getting the Fire Marshal's permission. These grills must be UL approved for outside use, and the installation must conform to commonsense safety regulations. **Vote 18-0.**

**HB 425-FN-LOCAL**, relative to the retirement system assumed rate of return for the biennium beginning July 1, 2017. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Woitkun for Executive Departments and Administration. This bill requires the retirement system to use the assumed rate of return of 7.75% for calculating employer contribution rates for the biennium beginning July 1, 2017, and to recertify employer rates. The committee felt this bill may conflict with the state constitution which tasks the retirement system actuaries to set the rate of return every biennium. Artificially inflating this number may lead to a larger unfunded liability. **Vote 18-0.**

**FINANCE****HB 266-FN-A**, making an appropriation to the state house bicentennial education and commemoration fund. **INEXPEDIENT TO LEGISLATE.**

Rep. J. Tracy Emerick for Finance. This bill proposes to appropriate \$60,000 to the State House Bicentennial Commission. However, in a budget year, funds requests are included in the budget process. This commission has never had general fund dollars, but the testimony was that a part-time event coordinator needed to be contracted for FY 2018 and through first quarter of FY 2019 to plan events related to the bicentennial. The prime sponsor said that no general fund dollars would ever be asked again for this project. After consultation with the House Chief of Staff who sits on this commission, it was decided that funding should more appropriately go through the budget process in the House budget, and the Chief of Staff agreed to this. **Vote 22-0.**

**JUDICIARY****HB 229**, relative to shared facilities and homeless shelters. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill was reported as unnecessary by the prime sponsor and received no supportive testimony. **Vote 15-0.**

**MUNICIPAL AND COUNTY GOVERNMENT****HB 83**, prohibiting family members from serving on the same town, city, or school district board or committee. **INEXPEDIENT TO LEGISLATE.**

Rep. Carolyn Matthews for Municipal and County Government. This bill seeks to prevent family members from serving on the same board or committee, whether elected or appointed. This well intentioned bill aims to make membership on boards and committees more diverse, and reduce the potential for the appearance of conflict of interest. However, these decisions should be made locally, based on the local situation and should not be applied statewide. There are some communities in NH with very small populations. Others lack of volunteers to either run for election or be appointed. This bill would impede the ability to fill those boards and committees. **Vote 14-0.**

**HB 89**, relative to municipal revolving funds. **OUGHT TO PASS.**

Rep. Franklin Sterling for Municipal and County Government. Current statutes allow the establishment of revolving funds in municipalities. Such funds are adopted and controlled by the municipal legislative body, which most often determines the authority to expend from those funds. This bill simply broadens the purposes for which a revolving fund can be established to include "any other purpose deemed appropriate by the municipality." This allows a municipality to better control its own savings, and projects designed to receive funding from those savings, under the control of the municipal legislative body. **Vote 15-0.**

**HB 163**, relative to the responsibility of a municipality to enforce its ordinances. **OUGHT TO PASS.**

Rep. Richard Tripp for Municipal and County Government. This bill is specific to "Off Highway Vehicles" and provides that when a municipality decides to adopt an ordinance which allows these vehicles on their town roads they need to enforce those local ordinances. The bill seeks to clarify that State Police and Fish & Game officers who are normally expected to enforce Off Highway Vehicle statutes are not expected to provide coverage for communities that decide to allow these vehicles on their local roads. **Vote 15-0.**



**HB 233**, relative to the submission of school emergency response plans. **OUGHT TO PASS.**

Rep. Rick Ladd for Education. Following the 2016 session, a statutory committee was formed to study real time threat notification systems to link schools with law enforcement when schools come under direct threat. In an effort to support report findings gathered from various groups such as Homeland Security, the department of education and the NH School Boards Association, the committee supports legislation requiring that each NH school submit a site specific school emergency management plan that conforms with Incident and Command Systems and the National Incident Management System to the department of education each year, or upon update. The committee recognizes that schools, due to age, location, community finances and more, have differing security and emergency management needs; however, in the case of a violent occurrence, all local and surrounding state responders, including employees and students in the facilities, must understand the emergency management plan and have training to properly respond. Currently, the department has received approximately 1/5th of the plans from schools. Upon receiving plans, the department and Homeland Security/State Emergency Management will be better positioned to review, make recommendations and offer technical advice that strengthens local safety and security plans. Homeland Security and the department support this legislation. **Vote 19-0.**

**HB 271**, requiring the department of education to collect data related to the reasons for suspension and expulsion of pupils. **INEXPEDIENT TO LEGISLATE.**

Rep. Victoria Sullivan for Education. The majority felt that school districts currently submit the information requested in this bill and therefore, the bill was unnecessary. Following the vote, a motion was made to request that the committee send a letter, through the chair, to the New Hampshire Department of Education directing them to break down their category of "other" on these reports in order to provide a better understanding of the reasons for suspension and expulsion. **Vote 18-1.**

**HB 275**, prohibiting the inclusion of statewide assessment results in a student's transcript without consent. **OUGHT TO PASS.**

Rep. Victoria Sullivan for Education. The committee feels that statewide assessment data is primarily used to evaluate school progress and that the inclusion of statewide assessment results in a student's transcript should be done only with the consent of the student and/or parents or legal guardians. **Vote 19-0.**

**ELECTION LAW****HB 165**, relative to disqualification of election officers. **INEXPEDIENT TO LEGISLATE.**

Rep. Norman Silber for Election Law. The committee believes that this bill is unnecessary because its sole purpose is to prohibit election officials involved in performing duties as an election official from handling unmarked ballots in an election in which they are seeking another office. Currently, under RSA 658:24, these officials are prohibited from handling marked ballots. This change would unnecessarily interfere with the performance of their supervisory duties. **Vote 17-0.**

**HB 247**, relative to retention of voter registration forms. **OUGHT TO PASS.**

Rep. Yvonne Dean-Bailey for Election Law. This bill shifts the responsibility of retaining and storing new voter registration forms from the supervisors of the checklist to the town or city clerk. Currently, supervisors of the checklist are responsible for retaining voter registration forms after they have been completed, resulting in inconsistent storage. The committee believes this should be the responsibility of the city or town clerk due to the confidential information included in the records. The committee finds that this change will increase the efficiency of retaining these registration forms and that the bill will strengthen protection of the voter's private information. **Vote 17-0.**

**HB 253**, relative to campaign materials at the polling place. **INEXPEDIENT TO LEGISLATE.**

Rep. Steve Negron for Election Law. This bill proposes to amend RSA 659:43 by eliminating the prohibition on wearing campaign materials at the polls in order to influence voters. The suggested change is to delete the word "wear." That word was added to RSA 659:43 last session. Before further amendment to RSA 659:43 occurs, the Election Law Committee believes that communities should have the opportunity to evaluate the current law's effectiveness. **Vote 16-1.**

**EXECUTIVE DEPARTMENTS AND ADMINISTRATION****HB 202**, requiring notice to municipalities of the relocation of state offices located within the municipality. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Kaczynski for Executive Departments and Administration. This bill requires an agency head to notify the municipality's governing body and legislative delegation of the relocation of a state office within the municipality. The committee felt this bill was unnecessary as it is virtually impossible to legislate good manners and common sense. Testimony given stated that a town official was informed of relocation of a state office and failed to act on it. **Vote 16-2.**

**HB 516**, relative to the time period for re-filing a petition for annulment of a criminal record. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Shannon Chandley for Criminal Justice and Public Safety. An individual who has been convicted of an offense may petition for an annulment of the record of arrest, conviction and sentence when the petitioner has completed all terms and conditions of his or her sentence and meets conditions as set forth in RSA 651:5, III, (a) through (i). Currently, if a petition for annulment of a criminal record is denied, the petitioner is required to wait three years before filing a further petition for annulment. This three year period can be unnecessarily onerous. This bill, as amended, removes the automatic three year waiting period for re-filing and requires that the court, if it denies the petition for annulment, state the reason for denial and, importantly, designate a specific time period after which the petitioner may file a further petition. The amendment removes from the bill language which declared that the time specified for further petition could not be more than twelve months. **Vote 13-0.**

**HB 551-FN**, regulating the use of a cell site simulator device. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank Sapareto for Criminal Justice and Public Safety. The prime sponsor has asked that this bill be killed so as to incorporate its intent with HB 474-FN. Members of the committee and interested parties will work with the sponsor on HB 474-FN. **Vote 14-0.**

## EDUCATION

**HB 113**, relative to grounds for denial of a chartered public school application. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry Wolf for Education. This bill would allow the department of education to deny a public charter school application solely because of the lack of state funds. This committee finds that the unavailability of state funds alone is not a sufficient basis to reject a charter school application. **Vote 18-0.**

**HB 147**, relative to the laws governing chartered public schools. **INEXPEDIENT TO LEGISLATE.**

Rep. James Grenier for Education. This bill would amend RSA 194-B:3, I(a) to compel all public charter schools to fully comply with all state laws and rules which apply to public schools instead of presently being fully exempt from these laws and rules. The sponsor felt that public charter and public schools should be governed by the same laws and rules. It was the feeling of the majority of the House Education Committee members that this change would be the death knell of all public charter schools in New Hampshire. Charter schools do not have the funding or the personnel to comply with these laws and rules. Many in the administration of charter schools must direct much time and energy to fundraising and would not have sufficient time to address the myriad of rules and mandates that must be endured by administrators in regular public schools. This burden would stifle creativity and force the charter school away from the primary educational goals of that school. It would be more appropriate, as an act of parity, to lessen the burden of state laws and regulations on regular public schools than increase the burden to charter schools. Increasing this burden of laws and rules on charter schools might be an act of governing parity, but would do nothing to improve the education of charter school students. **Vote 19-0.**

**HB 166**, relative to assessments administered to pupils in grades 3 through 8. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Wolf for Education. This bill seeks to reduce the use of the Smarter Balanced Statewide Assessment from testing in grades 3, 4, 5, 6, 7, and 8 to testing only once in the elementary and once in the middle school levels. The SAT or ACT will continue to be used at the high school level in grade 11. New Hampshire administers a single statewide assessment in grades 3-8 for two reasons: (1) it is required by the federal Every Student Succeeds Act and (2) it is required by state statute in compliance with the Claremont decision which requires the state to demonstrate that all students are receiving the opportunity for an adequate education. This committee agrees with the joint legislative oversight committee and finds that the current statewide assessment program results in student over-testing, loss of valuable instructional time, testing redundancy, costs to the state and local districts that are not justified by the outcome, an over-emphasis and reliance upon a single summative accountability measure to determine school performance that provides little immediate feedback or diagnostic information to the teacher to assist the student, and loss of state and local control of instruction, curriculum, and assessment. This bill was amended to call upon districts to work in consultation with the department, and as part of the statewide education improvement and assessment program, to develop and administer their own assessments. The amended bill provides a local school district the responsibility for developing or purchasing and administering its own assessment or standardized assessment that yields objective data and offers immediate information to improve classroom instruction and student learning. The local school board in consultation with the department will approve tests used by the local district. Many districts already use local assessments such as the Northwest Evaluation Association (NWEA) assessments or Star Math and Star Reading assessments that provide immediate feedback to the student, parents and teachers. This bill is in keeping with chapter 193-E which emphasizes that education is a shared responsibility between local and state government. **Vote 18-1.**

Thursday, March 23, 2017	Last day to act on all HBs, except budget bills
Thursday, March 30, 2017	Last day to report budget bills
Thursday, April 6, 2017	BUDGET CROSSOVER. Last day to act on budget bills
Thursday, April 27, 2017	Last day to report Senate Bills going to a second committee
Thursday, May 4, 2017	Last day to act on SBs going to a second committee
Thursday, May 25, 2017	Last day to report all remaining SBs
	Last day to report list of retained SBs
Thursday, June 1, 2017	Last day to act on SBs
Thursday, June 8, 2017	Last day to form Committees of Conference
Thursday, June 15, 2017	Last day to sign Committee of Conference reports
Thursday, June 22, 2017	Last day to act on Committee of Conference reports

## THURSDAY, FEBRUARY 2 CONSENT CALENDAR

### COMMERCE AND CONSUMER AFFAIRS

**HB 78**, relative to penalties for violating the insurance laws regarding property and casualty insurance. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald Flanders for Commerce and Consumer Affairs. This bill would significantly increase the minimum penalty levels for violating the laws regarding property and casualty insurance. After a thorough discussion by the committee, it was determined that the current minimum penalties were adequate as the Insurance Commissioner can add further penalties up to and including the revocation or suspension of a company's license to do business in New Hampshire. **Vote 18-0.**

**HB 98-FN**, relative to brewpub licenses. **OUGHT TO PASS.**

Rep. John Hunt for Commerce and Consumer Affairs. This legislation was left over from the last session, having failed to survive the committee of conference process. This bill would allow a brew pub to make hard cider in addition to brewing beer. This will cost an additional fee of \$240.00 and not require a separate facility to make the cider. The committee felt that since these beverages are similar in how they are taxed and made, there was no need to require separate licenses for their production. **Vote 18-0.**

**HB 150**, relative to property and casualty insurance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Donald Flanders for Commerce and Consumer Affairs. As amended, this bill makes certain technical changes to the law governing property and casualty insurance. It was filed at the request of the Insurance Department. The changes pertain to the filing and approval of forms, endorsements and other policy language. The commissioner may permit insurers to use appropriate systems of schedule rating filed by any rating bureau subject to rules adopted under RSA 541-A. It also changes the nonrenewal of homeowner's insurance by an insurer for having more than one valid claim, by clarifying that inquiries about coverage on a policy do not constitute a valid claim and shall not be a basis for nonrenewal. **Vote 18-0.**

### CRIMINAL JUSTICE AND PUBLIC SAFETY

**HB 220**, amending the title of the chapter relating to child pornography. **OUGHT TO PASS.**

Rep. Shannon Chandley for Criminal Justice and Public Safety. In 2008, RSA 649-A was amended to change all references to "child pornography" to the precise term "child sexual abuse images." The title was, inadvertently, left unchanged. This bill updates the title to align with the language of the aforementioned chapter. **Vote 18-0.**

**HB 306**, requiring the estimated cost of a prison sentence to be contained in the presentence investigation report. **INEXPEDIENT TO LEGISLATE.**

Rep. Beth Rodd for Criminal Justice and Public Safety. The basic cost of a prison sentence is over \$36,000 per year per person. It is not possible to estimate how costly a sentence will be at the time of sentencing because it cannot be known what additional services will be required throughout the course of incarceration that any particular inmate will need in the future. The cost of incarceration can be seen in the annual budget at the end of the fiscal year. **Vote 18-0.**

**HB 345**, relative to entering dismissals of cases by nolle prosequi. **INEXPEDIENT TO LEGISLATE.**

Rep. Dave Testerman for Criminal Justice and Public Safety. This bill requires the attorney general to issue a written report evaluating the evidence to the parties to a case at least 5 days before the state or county attorney enters a dismissal of such case by nolle prosequi. The committee believes that this bill would require the attorney general to oversee all county attorneys and their prosecutorial decisions and would inhibit their discretion in individual cases. **Vote 17-1.**



January 23, 2017

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

***Re: Annual Customer Notice***

Dear Chairman and Members of the Board:

Each year Comcast provides its customers with annual notices, including such information as Comcast's customer privacy policy, payment procedures, equipment compatibility and billing dispute and complaint procedures.

In accordance with RSA 53-C:3-d, enclosed please find a copy of the inserts received by customers in their bills during **2016**. In addition, please find a copy of the Affidavit submitted to the Attorney General's Office certifying the inclusion of such documents into customer bills during the **2016** calendar year.

Should you have any questions, please do not hesitate to contact me at 603.334.3603.

Very truly yours,

*Jay Somers*

Jay Somers, Sr. Manager  
Government & Regulatory Affairs

**AFFIDAVIT**

**Customer Annual Notice**

I, Ronni Summerton, certify that Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC, Comcast of Maine/New Hampshire, Inc., Comcast of Massachusetts/New Hampshire, LLC and Comcast of New Hampshire, Inc. complied with New Hampshire RSA 53-C:3-d (Notices to Subscribers Regarding Quality of Service) by providing each customer located in the communities attached hereto an insert regarding 1) **Customer Privacy Notice**, 2) **Notice to Customers Regarding Equipment Compatibility & Important Information**. Each notice was submitted with subscriber bills in February and September of 2016 respectively.

  
\_\_\_\_\_  
*Signature*

**Ronni Summerton**  
\_\_\_\_\_  
*Print Name*

**January 23, 2017**  
\_\_\_\_\_  
*Date*

Attachments



X64199

## Comcast Customer Privacy Notice For Cable Video, High-Speed Internet, Phone, and Home Security Services

### Why is Comcast providing this notice to me?

As a subscriber to cable service or other services provided by Comcast, you are entitled under Section 631 of the federal Cable Communications Policy Act of 1984, as amended, (the "Cable Act") to know the following:

- the limitations imposed by the Cable Act upon cable operators in the collection and disclosure of personally identifiable information about subscribers;
- the nature of personally identifiable information we collect;
- the nature of the use of personally identifiable information;
- under what conditions and circumstances we may disclose personally identifiable information and to whom;
- the period during which we maintain personally identifiable information;
- the times and places at which you may have access to your personally identifiable information; and
- your rights under the Cable Act concerning personally identifiable information and its collection and disclosure.

Personally identifiable information is information that identifies a particular person; it does not include de-identified, anonymous, or aggregate data that does not identify a particular person or persons. This notice is also provided to you in accordance with applicable California law, which only applies to our customers located in California who are served by a cable television corporation.

In addition, Section 222 of the Communications Act of 1934, as amended, (the "Communications Act") provides additional privacy protections for certain information related to our phone and Internet services:

- information about the quantity, technical configuration, type, destination, location, and amount of your use of the phone and Internet services; and
- information contained on your bill concerning the type of phone and Internet services and features you receive.

That information is known as customer proprietary network information or CPNI for short. This notice, which includes our CPNI Policy, describes what CPNI information we obtain, how we protect it, and how it may be used. If you are a customer of our phone and Internet services, you have the right, and Comcast has a duty, under the Communications Act and applicable state law, to protect the confidentiality of CPNI. In addition, the FCC's rules provide additional privacy protections specific to our phone services that we describe in this notice.

We explain below under "HOW DO I GIVE OR WITHHOLD MY APPROVAL FOR COMCAST TO USE CPNI TO MARKET ADDITIONAL PRODUCTS AND SERVICES TO ME?" how you can approve our use of CPNI or withdraw your approval in the event Comcast decides to use CPNI for marketing purposes.

**Special Note:** Our CPNI Policy applies to the voice and Internet communications-related services provided by the applicable Comcast operating company that delivers those services to our customers.

In this notice, the terms "Comcast," "we," "us," or "our" refer to the operating company subsidiary or subsidiaries of Comcast Corporation that (i) owns and/or operates the cable television system in your area pursuant to a cable television franchise with the local franchising authority, or (ii) is the operating company that delivers voice services in your area. The term "you" refers to you as a subscriber to one or more of our cable service and other services.

### I. Collection

#### What kind of information does this notice apply to?

The Cable Act applies to personally identifiable information that you have furnished to Comcast, or that Comcast has collected using the cable system, in connection with the provision of cable service or other services. The Communications Act applies to CPNI related to our regulated phone and Internet services, and certain orders of the Federal Communications Commission apply the CPNI rules to our interconnected voice over Internet protocol communications services.

**Special Note:** This notice only applies to our cable video service, our high-speed Internet service, our phone and communications services, and our home security service. It applies to you as a subscriber to one or more of these services as provided for by applicable law and except as otherwise noted. It does not cover information that may be collected through any other products, services, or websites, even if you access them through our cable services and even if they are co-branded with Comcast brands or the brands or logos of our affiliated companies. You should read the privacy policies for these other products, services, and

websites to learn how they handle your personal information. You can read the privacy policy for Comcast's web services at <http://xfinity.comcast.net/privacy/>.

#### **For what purposes may Comcast collect personally identifiable information and CPNI?**

The Cable Act authorizes Comcast as a cable operator to use the cable system to collect personally identifiable information concerning any subscriber for the following purposes:

- to obtain information necessary to render our cable service or other services to our subscribers; and
- to detect unauthorized reception of cable communications.

The Cable Act prohibits us from using the cable system to collect personally identifiable information concerning any subscriber for any purposes other than those listed above without the subscriber's prior written or electronic consent.

The Communications Act authorizes us to use, disclose, or permit access to individually identifiable CPNI in our provision of:

- the telecommunications services from which this information is derived; or
- services necessary to, or used in, the provision of these services, including the publishing of directories.

The Communications Act prohibits us from using CPNI for any purposes other than those listed above except as permitted or required by law or with your approval.

#### **What kind of personally identifiable information and CPNI does Comcast collect?**

Comcast collects information from you at several different points when you request, turn on, and use our services under an account we create for you. Some of this information is personally identifiable information, but much of it is not. We collect certain personally identifiable information that our subscribers furnish to us in connection with the provision of cable service or other services. In order to provide reliable, high quality service to you, we keep regular business records containing information about you that may constitute personally identifiable information. These account records include some, but typically not all, of the following information:

- your name;
- service address;
- billing address;
- e-mail address;
- telephone number;
- driver's license number;
- social security number;
- bank account number; and
- credit card number.

With respect to phone services, examples of CPNI include information typically available from telephone-related details on your monthly bill:

- location of service;
- technical configuration of service;
- type of service;
- quantity of service;
- amount of use of service; and
- calling patterns

CPNI does not include your name, address, and telephone number because the Communications Act classifies that information as "subscriber list information" which is not subject to the CPNI protections. However, that information is also subject to certain protections as described below under "To whom may Comcast disclose personally identifiable information?" The FCC has not yet adopted specific rules or definitions regarding CPNI as it relates to Internet access.

We also collect and maintain certain other information about your account. For example, this information may include:

- your account number;
- billing, payment, and deposit history;
- additional service information;
- customer correspondence and communications records;
- maintenance and complaint information;
- the device identifiers and network addresses of equipment used with your account;
- records indicating the number of television sets, set-top boxes, modems, telephones, home security and automation devices, or other devices connected to our cable system; and
- additional information about the service options you have chosen.

Some of our services permit you to establish secondary accounts, and if you do so we collect similar information in order to establish and service the secondary accounts. During the initial provisioning of our services, and during any subsequent changes or updates to our services, Comcast may collect technical information about your televisions, any set-top boxes, computer hardware and software, cable modems, telephones, other cable or other service-related devices, home security and automation devices, and customization settings and preferences. Additionally, if you rent your residence, we may have a record of whether landlord permission was required prior to installing our cable services as well as your landlord's name and address.

#### **What kind of information does Comcast collect if I use cable video services?**

When you use cable video services, our cable system automatically

generates information about your use of the services and their features, and we collect much of this information as part of providing services to you. For example, we receive information about the use of set-top boxes, remote controls, electronic program guides, video players, applications, and other devices and software connected to our cable system. This information includes which channels, programs, and advertisements are viewed and for how long, for example. It may also include information about navigation through program guides and applications, and use of devices like remote controls and tablets. Except as described below, we collect this *activity data* without names and addresses or other personally identifiable information and we consider it *de-identified* data.

Our system may collect activity data with personally identifiable information for particular requests or transactions like when you order a pay-per-view program or purchase a product. This information typically consists of account and billing-related information such as the programs or other products, services, or features ordered so that you may be properly billed for them. Follow your program guide commands or any special instructions on your screen when you make these transactional requests. These commands and instructions will explain your choices so that you can complete or cancel your requests as you wish.

#### **What kind of information do you collect and use to improve your cable services and deliver relevant advertising?**

Comcast's cable system, set-top boxes, and other equipment generate activity data that we collect and store. We use this information for a number of purposes including to determine which programs are most popular, how many people watch a program to its conclusion, and whether people are watching commercials. As described below under "How does Comcast use personally identifiable information and CPNI?" we may also provide information like subscriber lists or certain de-identified, anonymous, and/or aggregate information (such as activity data) to third parties working on our behalf -- such as audience measurement or market research firms. We, or these firms, working as our service providers, may combine this information with aggregated or non-aggregated demographic information (such as census records) and other audience attributes, such as purchasing data, demonstrated interests (for example, in sports programs or movies), loyalty programs, organizational affiliations, advertiser customer lists, and the like to provide us with audience analysis data. We require third parties working on our behalf to treat all information we provide as confidential and to use it only for Comcast's business purposes. We may also work with academic or research interest groups to analyze de-identified, anonymous, and/or aggregate information we provide to them for specific purposes or projects.

We use this information and analysis to improve our cable video service and other services and make programming and advertising more relevant to our subscribers. We may also use this information to distribute and deliver relevant programming and advertising to you without disclosing personally identifiable information about you to programmers or advertisers. In addition to this privacy notice, we may provide additional notices to you regarding specific advertising or other initiatives. These notices will describe the initiatives in greater detail and may, as appropriate, contain information you can use to choose to participate, or not participate, in these initiatives.

## **II. Use**

### **How does Comcast use personally identifiable information and CPNI?**

We collect, maintain, and use personally identifiable information and CPNI as permitted by the Cable Act and the Communications Act and other applicable laws. We use this information primarily to conduct business activities related to providing you with our cable service and other services, and to help us detect theft of service. Generally speaking, we use personally identifiable information in connection with:

- billing and invoicing;
- administration;
- surveys;
- collection of fees and charges;
- marketing;
- service delivery and customization;
- maintenance and operations;
- technical support;
- hardware and software upgrades; and
- fraud prevention.

More specifically, we also use personally identifiable information to:

- install, configure, operate, provide, support, and maintain our cable service and other services;
- confirm you are receiving the level(s) of service requested and are properly billed;
- identify you when changes are made to your account or services;
- make you aware of new products or services that may be of interest to you;
- understand the use of, and identify improvements to, our services;
- detect unauthorized reception, use, or abuse of our services;
- determine whether there are violations of any applicable policies and terms of service;
- manage the network supporting our services;



- configure cable service and other service-related devices; and
- comply with law.

The Communications Act further permits Comcast to use, disclose, and permit access to CPNI obtained from our customers, either directly or indirectly, to:

- initiate, render, bill, and collect for telecommunications services;
- protect our rights and property, and protect our users of these services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, these services;
- provide any inbound telemarketing, referral, or administrative services to you for the duration of the call, if you initiated the call and you approve of the use of this information to provide these services; and
- to provide call location information concerning the user of a commercial mobile phone service.

Comcast may not use CPNI to market products and services to you other than enhancements to services you already have without your approval in accordance with our policies described below.

Comcast transmits, and may collect and store for a period of time, personally identifiable and non-personally identifiable information about you when you use our high-speed Internet and phone services to:

- send and receive e-mail, video mail, and instant messages;
- transfer and share files;
- make files accessible;
- visit websites;
- place or receive calls;
- leave and receive voice mail messages;
- use the applicable communications center or voice center;
- establish custom settings or preferences;
- communicate with us for support; or
- otherwise use the services and their features.

Comcast transmits, collects, and stores comparable information when you use our home security service. Our transmission, collection, and storage of this information is necessary to render the services. In certain situations, third-party service providers may transmit, collect, and store this information on our behalf to provide features of our services. These third parties are not permitted to use your personally identifiable information except for the purpose of providing these features.

#### **How does Comcast use activity data and other data in connection with cable video service?**

We associate activity data with particular devices such as set-

top boxes, portable devices, and other supported devices so that we know where to deliver the services and how to troubleshoot them. In general, Comcast uses de-identified and aggregate activity information to understand better how our customers use our products and services so that we can improve them, including by delivering more relevant content and advertising. We may try to determine how well our products and services deliver value to our customers, for example, by determining which programs are most popular, how many people watch a program to its conclusion, and whether and how often people are watching commercials. As discussed below, we may also combine activity data with other non-personally identifying demographic and similar information from our business records.

When we collect activity data, we may also use it to determine how many people view commercials (impressions) and to provide de-identified or aggregate reports to third-party advertisers. When we do this reporting on advertising impressions we do not provide any personally identifiable information about our subscribers to third-party advertisers. We, or our service providers, may combine de-identified activity data with other data to determine and report how an advertiser's messages are viewed, including on other platforms and services.

We may also use activity data to help us learn how popular certain programs are and how our customers as a whole generally prefer to view certain kinds of programming using cable video service (such as whether they like to watch certain programs live, or they prefer to view them when we offer them on demand, on mobile devices, or online). As described below, this may require us to compare or combine activity data on our cable system with online activity data. We may also use activity data to determine whether promoting content and services in certain ways helps attract a larger audience and more customers. While we may provide aggregate reports on these observations to programmers or others, we do not provide any personally identifiable information about our subscribers, or the activities of individual subscribers, to those programmers and others.

We may also use, or combine information about, your use of our cable services with other information we obtain from our business records (such as your Comcast account number or device identifiers), or from third parties, to deliver better and more relevant products, services and advertising. However, we do not store or share your activity data in association with your name or address, except as necessary to render or bill for our services. We may try to determine, using aggregated data, which groups of our customers use which of our products and services and how they use them. To do this we, or third parties working on our behalf, may combine demographic and other generally available information, or advertiser information, including purchasing data and membership in loyalty programs, with our subscriber lists.

From this information, we or our third party providers prepare de-identified and aggregated reports about how groups of customers with common characteristics – such as age and gender, or a demonstrated interest in a particular third party product – use our services and respond to the programming and advertising that we distribute. We may use this information to improve and communicate with you about our own products and services, and also to help us deliver relevant information and advertising on behalf of other companies and advertisers to certain subscriber groups – known as *ad groups* – who may be most interested in this information and advertising. When we do this, we do not share your personally identifiable information with these advertisers, unless you provide your express consent.

We may also combine personally identifiable information, which we collect as described in this notice as part of our regular business records, with personally identifiable information obtained from third parties for the purpose of creating an enhanced database or business records. We may use this database and these business records for marketing, advertising, and other activities related to our cable service and other services. We also maintain records of research concerning subscriber satisfaction and viewing habits, which are obtained from subscriber interviews, questionnaires, and surveys or panels.

#### **How does Comcast use information about use of cable video services on other platforms like websites or mobile applications?**

We may compare or combine information such as *activity data* we receive when you use cable video services to view content or advertising with information about your use of content and advertising that we deliver on other platforms, such as on our Xfinity websites and mobile applications. We may also compare or combine this information or data with that generated by your viewing of advertising placed or sold by Comcast on other websites and mobile applications. We do this to better understand, among other things, how our customers access and use our products and services in all of the places that we offer them.

### **III. Disclosure**

#### **Under what circumstances may Comcast disclose personally identifiable information to others?**

Comcast considers the personally identifiable information contained in our business records to be confidential. The Cable Act authorizes Comcast as a cable operator to disclose personally identifiable information concerning any subscriber if the disclosure is:

- necessary to render, or conduct a legitimate business activity related to, the cable service or other services provided to the subscriber;

- required by law or legal process (described below under “When is Comcast required by law to disclose personally identifiable information and CPNI by law?”); or
- of the names and addresses of subscribers for “mailing list” or other purposes (subject to each subscriber’s right to prohibit or limit this disclosure and the CPNI Policy described below under “How do I place myself on Comcast’s ‘do not call’ and ‘do not mail’ lists?”).

The Cable Act prohibits us as a cable operator from disclosing personally identifiable information concerning any subscriber for any purposes other than those listed above without the subscriber’s prior written or electronic consent.

#### **To whom may Comcast disclose personally identifiable information?**

We may disclose personally identifiable information as provided for in the Cable Act when it is necessary to render, or conduct a legitimate business activity related to, the cable service or other services we provide to you. These kinds of disclosures typically involve billing and collections, administration, surveys, marketing, service delivery and customization, maintenance and operations, incident verification and response, service notifications, fraud prevention, and services to improve our programming and advertising offerings, for example. We may also collect, use, and disclose information about you in de-identified, anonymous, or aggregate formats, such as ratings surveys and service usage and other statistical reports, which do not personally identify you, your particular viewing habits, or the nature of any transaction you have made over the cable system. The frequency of any disclosure of personally identifiable information varies in accordance with our business needs and activities.

The Cable Act authorizes Comcast as a cable operator to disclose limited personally identifiable information to others, such as charities, marketing organizations, or other businesses, for cable or non-cable “mailing list” or other purposes. From time to time we may disclose your name and address for these purposes. However, you have the right to prohibit or limit this kind of disclosure by contacting us by telephone at 1-800-XFINITY or by sending us a written request as described below under “How do I contact Comcast?” Any “mailing list” and related disclosures that we may make are limited by the Cable Act to disclosures of subscriber names and addresses where the disclosures do not reveal, directly or indirectly, (i) the extent of any viewing or other use by the subscriber of a cable service or other service provided by us; or (ii) the nature of any transaction made by the subscriber over our cable system.

We may sometimes disclose personally identifiable information about you to our affiliates or to others who work for us. We

may also disclose personally identifiable information about you to outside auditors, professional advisors, service providers and vendors, potential business merger, acquisition, or sale partners, and regulators. We make these disclosures as provided for in the Cable Act. Typically, we make these disclosures when the disclosure is necessary to render, or conduct a legitimate business activity related to, the cable service or other services we provide to you. We may be required by law or legal process to disclose certain personally identifiable information about you to lawyers and parties in connection with litigation and to law enforcement personnel.

If we (or our parent company) enter into a merger, acquisition, or sale of all or a portion of our assets, subscribers' personally identifiable information will, in most instances, be one of the items transferred as part of the transaction. If this notice will be changed as a result of a transaction like that, you should refer below under "Will Comcast notify me if it changes this notice?"

We may also use or disclose personally identifiable information about you without your consent to protect our customers, employees, or property, in emergency situations, to enforce our rights under our terms of service and policies, in court or elsewhere, and as otherwise permitted by law.

#### **When may Comcast disclose personal information to others in connection with phone service?**

Comcast may disclose to others personally identifiable information in connection with features and services such as Caller ID, 911/E911, and directory services as follows:

- We may transmit your name and/or telephone number to be displayed on a Caller ID device unless you have elected to block such information. Please note that Caller ID blocking may not prevent the display of your name and/or telephone number when you dial certain business or emergency numbers, 911, 900 numbers, or toll-free 800, 888, 877, 866 or 855 numbers.
- We may provide your name, address, and telephone number to public safety authorities and their vendors for inclusion in E911 databases and records, inclusion in "reverse 911" systems, or to troubleshoot 911/E911 record errors.
- We may publish and distribute, or cause to be published and distributed, telephone directories in print, on the Internet, and on disks. Those telephone directories may include subscriber names, addresses, and telephone numbers, without restriction to their use.
- We may also make subscriber names, addresses, and telephone numbers available, or cause such subscriber information to be made available, through directory assistance operators.

- We may provide subscribers' names, addresses, and telephone numbers to unaffiliated directory publishers and directory assistance providers for their use in creating directories and offering directory assistance services.
- Once our subscribers' names, addresses, and telephone numbers appear in telephone directories or directory assistance, they may be sorted, packaged, repackaged and made available again in different formats by anyone.

We take reasonable precautions to ensure that non-published and unlisted numbers are not included in our telephone directories or directory assistance services, but we cannot guarantee that errors will never occur.

#### **When is Comcast required to disclose personally identifiable information and CPNI by law?**

We make every reasonable effort to protect subscriber privacy as described in this notice. Nevertheless, we may be required by law to disclose personally identifiable information or individually identifiable CPNI about a subscriber. These disclosures may be made with or without the subscriber's consent, and with or without notice, in compliance with the terms of valid legal process such as a subpoena, court order, or search warrant.

For subscribers to our cable video service, Comcast may be required as a cable operator to disclose personally identifiable information to a third-party or governmental entity in response to a court order. If the court order is sought by a non-governmental entity, we are required under the Cable Act to notify the subscriber of the court order. If the court order is sought by a governmental entity, the Cable Act requires that the cable subscriber be afforded the opportunity to appear and contest in a court proceeding relevant to the court order any claims made in support of the court order. At the proceeding, the Cable Act requires the governmental entity to offer clear and convincing evidence that the subject of the information is reasonably suspected of engaging in criminal activity and that the information sought would be material evidence in the case.

For subscribers to our high-speed Internet, phone, and home security services, Comcast may be required to disclose personally identifiable information and individually identifiable CPNI to a private third party in response to a court order, and, if so, we are required to notify the subscriber of the court order. Comcast may also be required to disclose personally identifiable information and individually identifiable CPNI about subscribers to high-speed Internet, phone, and home security services to a government entity in response to a subpoena, court order, or search warrant, for example. We are usually prohibited from notifying the subscriber of any disclosure of personally identifiable information to a government entity by the terms of the subpoena, court order, or search warrant.

**How does Comcast protect personally identifiable information?**

We follow industry-standard practices to take such actions as are necessary to prevent unauthorized access to personally identifiable information by a person other than the subscriber or us. However, we cannot guarantee that these practices will prevent every unauthorized attempt to access, use, or disclose personally identifiable information.

**How long does Comcast maintain personally identifiable information?**

Comcast maintains personally identifiable information about you in our regular business records while you are a subscriber to our cable service or other services. We also maintain this information for a period of time after you are no longer a subscriber if the information is necessary for the purposes for which it was collected or to satisfy legal requirements. These purposes typically include business, legal, or tax purposes. If these purposes no longer apply, we will destroy, de-identify, or anonymize the information according to our internal policies and procedures.

**IV. Customer Access and Choice**

**How can I see my personally identifiable information or CPNI and correct it, if necessary?**

You may examine and correct, if necessary, the personally identifiable information regarding you that is collected and maintained by Comcast in our regular business records. In most cases, the personally identifiable information contained in these records consists solely of billing and account information. We will correct our records if you make a reasonable showing that any of the personally identifiable information we have collected about you is inaccurate.

If you have Internet access, you can view and change certain information yourself by going to [www.comcast.com/myaccount](http://www.comcast.com/myaccount) and signing in with your Comcast username and password to access the My Account feature. If you are a home security customer, you can go to the subscriber portal at [www.xfinity.com/xhportal](http://www.xfinity.com/xhportal).

You may also examine the records containing your personally identifiable information at your local Comcast office upon reasonable prior notice to us and during our regular business hours. If you wish to examine these records, please contact us by mail or telephone at 1-800-XFINITY, giving us a reasonable period of time to locate and, if necessary, prepare the information for review, and to arrange an appointment. You will only be permitted to examine records that contain personally identifiable information about your account and no other account.

If you make an affirmative, written request for a copy of your CPNI, we will disclose the relevant information we have to you at your

account address of record, or to any person authorized by you, if we reasonably believe the request is valid. However, subscribers to our phone services should be aware that we generally do not provide them with records of any inbound or outbound calls or other records that we don't furnish in the ordinary course of business (for example, as part of a bill) or which are available only from our archives, without valid legal process such as a court order. In addition, we cannot correct any errors in customer names, addresses, or telephone numbers appearing in, or omitted from, our or our vendors' directory lists until the next available publication of those directory lists. Further, we may have no control over information appearing in the directory lists or directory assistance services of directory publishers or directory assistance providers that are not owned by our subsidiaries or us.

Comcast reserves the right to charge you for the reasonable cost of retrieving and photocopying any documents that you request.

**How do I manage or opt out of uses of information about my Comcast account?**

You may opt out of receiving more relevant advanced advertising delivered with programs made available through our cable video service by going to <http://www.comcast.com/adservices>. Even if you opt out, you will still receive advertising and we will continue to send you Comcast marketing messages based on the way you use our products and services and the information we have collected about you.

**How do I give or withhold my approval for Comcast to use CPNI to market additional products and services to me?**

Various direct and indirect subsidiaries of Comcast Corporation offer many communications-related and non-communications related services, such as high-speed Internet and home security services. From time to time we may like to use the CPNI information we have on file to provide you with information about our communications-related products and services or special promotions. Our use of CPNI may also enhance our ability to offer products and services tailored to your specific needs. In addition, Comcast also offers various other services that are not related to the services to which you subscribe. Under the CPNI rules, some of those services, such as Comcast cable video services, are considered to be non-communications related products and services. Therefore, you may be asked during a telephone call with one of our representatives for your oral consent to Comcast's use of your CPNI for the purpose of providing you with an offer for communications related or non-communications related products and services. If you provide your oral consent for Comcast to do so, Comcast may use your CPNI only for the duration of that telephone call in order to offer you additional services.

If you deny or restrict your approval for us to use your CPNI, you

will suffer no effect, now or in the future, on how we provide any services to which you subscribe.

**How do I place myself on Comcast's "do not call" and "do not mail" lists?**

You may contact Comcast at 1-800-XFINITY to ask us to put your name on our internal company "do not call" and "do not mail" lists so that you do not receive marketing or promotional telephone calls or postal mail from us or made at our request. You also have the right to prohibit or limit disclosure of your personally identifiable information for "mailing list" or other purposes as described above in this notice by contacting us at 1-800-XFINITY.

If you prefer to contact Comcast in writing instead of by telephone, you may send a written request to the address listed below under "How do I contact Comcast?" Be sure to include your name and address, your Comcast account number, and a daytime telephone number where you can be reached in the event we have any questions about your request. The person who is identified in our billing records as the subscriber should sign the written request. If you have a joint account, a request by one party will apply to the entire account. If you have multiple accounts, your notice must separately identify each account covered by the request.

**What email communications will Comcast send to me and how do I manage them?**

We may send a welcome email and sometimes other information to new subscribers to our cable service and other services (including each new secondary account holder, where applicable). We may also send service-related announcements to our subscribers from time to time. For example, we may send you an email announcement about a pricing change, a change in operating policies, a service appointment, or new features of one or more of the cable service or other services you receive from us. You may not opt-out of these service-related communications. If you fail to check your primary email address for service-related announcements, you may miss important information about our services, including legal notices, for example.

We reserve the right to send you promotional or commercial email as permitted by applicable law. You can manage the promotional or commercial emails Comcast may send to you by following the instructions contained in the emails or by going to the Web page located at [www.comcast.com/preferences](http://www.comcast.com/preferences) and following the directions there. We may ask for additional information on this preferences page such as your zip code, for example. By providing this additional information to us we will be able to better inform you of the availability of special offers and promotions in your area. If you no longer wish to receive these emails you may opt-out of receiving them by going to the same page and changing your contact preferences.

**What can I do if I think my privacy rights have been violated?**

If you believe that you have been aggrieved by any act of ours in violation of the Cable Act or other applicable laws, we encourage you to contact us directly as described below in "How do I contact Comcast?" in order to resolve your question or concern. You may also enforce the limitations imposed on us by the Cable Act as applicable with respect to your personally identifiable information through a civil lawsuit seeking damages, attorneys' fees, and litigation costs. Other rights and remedies may be available to you under federal or other applicable laws as well. This customer privacy notice neither supersedes nor modifies any arbitration agreement to which you may be bound relating to the provision of our cable video service, our high-speed Internet service, our phone and communications services, or our home security service to you as a subscriber to one or more of these services.

**Will Comcast notify me if it changes this notice?**

As required by the Cable Act, we will provide you with a copy of this customer privacy notice at the time we enter into an agreement to provide any cable service or other service to you, and annually afterwards, or as otherwise permitted by law. You can view the most current version of this notice by going to [www.comcast.com/Corporate/Customers/Policies/CustomerPrivacy.html](http://www.comcast.com/Corporate/Customers/Policies/CustomerPrivacy.html)

We may modify this notice at any time. We will notify you of any material changes through written, electronic, or other means and as otherwise permitted by law. If you find the changes to this notice unacceptable, you have the right to cancel your service. If you continue to use the service following notice of the changes, we will deem that to be your acceptance of and consent to the changes in the revised privacy notice. This includes your consent for any personally identifiable information that we may collect and use starting on the effective date of the revised notice, as well as for any personally identifiable information that we have collected prior to the effective date of the revised notice. However, we will only deem your continued use of the service to be your acceptance of and consent to changes in the revised privacy notice for changes made after December 31, 2006.

**How do I contact Comcast?**

If you have any questions or suggestions regarding this privacy notice, or wish to contact us about your personal information, please reach us as follows:

Phone: 1-800-XFINITY  
Website: <http://customer.comcast.com/contact-us>  
Mail: Comcast Cable Communications, LLC  
Attn: Law Department - Customer Privacy Notice  
One Comcast Center  
Philadelphia, PA 19103-2838

Revised and effective: August 1, 2015

# Important Notices To Our Customers

## How to Use Your Cable Service Notice to Customers Regarding Equipment Compatibility & Important Information

X37648 8773-1000, 2000, 3000, 8633-0100, 0110, 0120 (ALL)

### How To Use Your Cable Service

Congratulations on your choice of one of the world's best entertainment and information media - cable TV! We have designed our XFINITY TV service to be as simple to use as it is exciting to explore!

This information is provided to enable you to be more knowledgeable about your service and to answer any questions you may have about it.

### Complaint Procedures

If you have a complaint regarding your cable television service or your bill, please call the local customer service number listed below or our toll-free telephone number which is available 24 hours a day, seven days a week. You can also visit our local business office listed on your billing statement. Alternatively, if you wish to put your comments in writing, your letter should be addressed to Comcast at the local address listed on your billing statement. We will promptly try to resolve your complaint. If we are unable to resolve your complaint, we will notify you that we are unable to do so and explain the reason why. If you are dissatisfied with our resolution of your complaint, or we are unable to resolve your complaint, you may contact the local franchising authority to discuss your complaint. Please refer to your monthly cable bill or call the local customer service number listed below for the name and address of your local franchising authority.

### General Do's and Don'ts

We have installed cable in your home in a manner that is consistent with Federal Communications Commission ("FCC") rules. Here are a few tips to keep it operating safely and reliably:

1. During severe electrical storms you should unplug your television set and cable converter to avoid damage. Comcast and your set manufacturer are not responsible for damage which occurs due to acts of nature.
2. Your cable converter operates on 110 volts. Please take all the same precautions you would for any small appliance, such as checking the cord to make sure it is not worn or damaged.
3. For your own safety, do not attempt to open or otherwise tamper with your cable converter.
4. If you have someone other than Comcast install the inside wiring in your home, or if you do it yourself, you are responsible for ensuring that the installation
  - a. complies with all applicable governmental regulations (FCC signal leakage rules, for example), and
  - b. does not interfere with the normal operations of the cable system or any other communications systems, such as those used by police and fire departments.

## Billing

Your monthly cable bill not only gives you a listing of your current charges, payments and credits, but it may also contain special messages to our customers. Take time to review your bill to make sure your name, address and other information are correct. You generally will be billed at the same time each month unless you are notified otherwise.

Your first statement will include a monthly charge for the upcoming month. It may also include:

1. Your installation charge,
2. A partial charge for your first month's service if you are connected in the middle of a billing cycle; for example, if your monthly cable fee is \$24.00 and you connect to cable on the tenth day of a 30-day month, you would be billed for 2/3 of a month. The amount shown next to the line entry "prorate" or "partial month" would be \$16.00,
3. Your payment due date,
4. An address to send any written requests in a separate letter to Comcast, and
5. All prices for services (these may be subject to applicable franchise fees and taxes).

## Theft Of Service

The Cable Act (47 USC § 533) created both civil and criminal penalties for manufacturers, suppliers and users of unauthorized cable devices. This federal theft-of-service law supplements any existing state or local laws, and provides a federal remedy against any person who, without authorization, intercepts or receives any communication service which is provided over a cable system.

This federal law prohibits the unauthorized interception or receipt of any communications service over a cable system. This would include the theft of audio, video, textual data or other service, including data transmitted to or from a customer over a system that has interactive capability. The law applies to both manufacturers and distributors of equipment, as well as individual subscribers.

The Cable Act provides both civil and criminal penalties for theft of cable services. Under this federal legislation, a cable operator may seek substantial monetary damages for the theft of its cable services. In addition, if the violations are willful and for commercial advantage or private financial gain, the court may award damages of up to \$50,000 in civil cases and a maximum of \$100,000 for certain criminal violations, in addition to a maximum of five years imprisonment for subsequent offenses.

***Theft of service creates unfair burdens on cable subscribers who are forced to subsidize the benefits that other individuals are getting by receiving cable service without paying for it.***

## About Your Converter/CableCARD

In order to receive XFINITY TV, as well as to descramble certain optional premium or pay-per-view services, you may require an electronic channel selection device called a "converter" or a CableCARD activated device. A converter and a remote control or a CableCARD are available from Comcast on a lease basis or converters or remotes may be purchased at certain retail outlets, including consumer appliance or electronics stores.

Some television components like DVD players, DVD recorders, cable-ready sets and remote-control devices may not be compatible with your cable television service. We encourage you to make certain components you purchase are compatible with your cable television service prior to making a purchase. For further information, please refer to the Equipment Compatibility section of this notification, or call your local Comcast office.

Converters that unscramble services also provide our customers with the option to use "parental control" to block channels they wish not to view.

It is easy to watch your television after connecting to cable using a converter. Just turn on both your television set and the converter. Make sure that your television is tuned to the output channel of your converter (Ch. 2, 3 or 4), and then select the channel you want to watch by using the controls on either the converter or the hand-held remote control device. To ensure reliable operation, make sure the converter is plugged into a "live" electrical outlet, rather than one controlled by a light switch. Loss of power to some converters may result in a temporary loss of cable service, even after the power is restored.

**IF YOUR CONVERTER IS PROVIDED TO YOU BY COMCAST, YOU MUST RETURN IT ONCE YOU ARE NO LONGER A CUSTOMER.**

## If You Have Problems

If you experience a problem with picture or signal quality, you should review your television, DVD player and/or DVD recorder owner's manual for proper adjustment or please try the troubleshooting information below. If your service problem does not clear up you should call the local customer service number listed below and describe the problem to a customer service representative.

In order to correct the problem, we may need access to your premises. If required, a service call will be scheduled at a time convenient to you. We will make all reasonable efforts to resolve any complaints you have concerning the quality of our signals promptly and efficiently. Excluding conditions beyond our control, we will respond to a service interruption no later than twenty-four hours after receipt of notification. We respond to other service problems no later than the next business day after notification. If our service technician is unable to correct the problem to your satisfaction we will, at your request, schedule a second service appointment. If we remain unable to correct the problem you will be notified of this fact and the reason why. If you are dissatisfied with our resolution of your service problem, you may contact the local franchising authority to discuss the problem with your service. Please refer to your monthly cable bill or call the local customer service number listed below for the name and address of your local franchising authority.

### **Wrong Channel**

- Check television set dial and converter for channel setting. Try channel 2, 3, or 4.



### **Snow on Screen**

- Check to make sure converter is plugged into a working outlet.



### **No Picture, No Sound**

- Make sure the television set is plugged into a "live" electrical outlet, and not controlled by a wall switch.



### **Picture Shrinks**

- May be an overloaded circuit in your television set, or
- Electric company power cutback.



### **No Picture**

- Check channel setting on converter and television set.
- Check listing to make sure channel is broadcasting during this time slot.
- Check other channels to compare reception.



### **DVD Player, DVD Recorder-Cable Hookups**

1. Additional equipment, such as coaxial cables, signal splitters or A/B switches, may cause picture distortion if it does not meet Comcast systems' standards. Please call our repair department before you purchase additional hookup equipment.
2. We recommend against cutting cable wire connectors. An improperly cut cable may cause picture distortion.
3. All cable connections must be fitted "wrench tight."

### **True Cable Compatibility**

Please refer to the Equipment Compatibility section in this notice regarding cable compatibility, or call your Comcast office if you have questions.

### **Installing Digital Cable Service**

Digital TV self-installation kits and manuals are available from your local Comcast cable office for a separate charge.

## **A Brief Note About The Services We Offer**

*Not all services are available in all areas. Please call your local Comcast office for details.*

### **Limited Basic**

Limited Basic Service is one of our most viewed levels of service. Limited Basic may include off-air broadcast stations and franchise-required public, educational and government access channels. All such programming

varies on a community-by-community basis and is subject to change at any time. Currently, our cable customers must subscribe to Limited Basic in order to subscribe to any tiers of video service offered by Comcast.

### **Digital Service Tiers**

Our Digital Service tiers generally carry all non-premium cable channels, such as The Discovery Channel, Lifetime, ESPN, A&E, USA, TNT and, where available, regional sports services. All such programming varies on a community-by-community basis and is subject to change at any time.

A customer must receive Limited Basic Service in order to be eligible to receive a Digital Service Tier.

### **Premium Services**

Premium Services are generally available to customers who receive Limited Basic Service. Premium channels generally include Home Box Office (HBO), Showtime, Cinemax, STARZ!, and Encore. All premium services may not be available in all areas. There is a separate monthly charge for each premium channel a customer receives.

### **Other Optional Services**

In addition to these programming services, we may also offer our customers the option of renting converters or remotes for an additional monthly charge; Pay-Per-View or other services, including ordering and downloading pay-per-view services; and optional interactive television services, such as e-mail and access to the Internet.

We may also have available XFINITY Internet Service for personal computers that offers content-enhanced access to the Internet; full motion video; national, regional, and local content; e-mail; personalized browsers; and other exciting features at unprecedented speed and convenience. XFINITY Internet service may not be available in all areas and is subject to certain terms and conditions.

## **A Note About Programming**

We receive programming from various non-cable and cable networks. We are not responsible for the content of programs aired by these networks. Programming complaints or questions should be directed to the particular cable or broadcast networks.

## **Moving**

**BEFORE YOU MOVE**, please call Comcast. This is the best way for us to disconnect your service, recover your converter and arrange for cable television service in your new home. Call us in advance, and we will schedule a new installation if your new home is in our service area.

If you decide to disconnect your service, converters, remote control devices and any other equipment provided by Comcast should be returned to us immediately. Customers are liable for these items and will continue to be billed until the equipment is returned, or, if you have lost it or are otherwise unable to return it, paid for.



## Emergencies

Emergencies such as fallen utility lines, violent storms or sub-freezing weather may interfere with reception of your service. We will promptly have one of our crews correct an emergency situation as soon as it is safely possible.

## Important Notice To Our Customers Regarding Equipment Compatibility

### "Cable Ready" and "Cable Compatible Equipment"

Many subscribers currently rent or own converters to receive our cable services. Because a converter functions as the channel tuner on your television, DVD player or DVD recorder, it may prevent you from using some of the special features and functions of your television, DVD player or DVD recorder. For example, you may not be able to view one program while recording another, record two or more consecutive programs that appear on different channels, use advanced picture generation and display features such as "picture in picture," channel review or use other features that necessitate channel selection by the television set. Some of these problems may be resolved by the use of A/B switches, signal splitters, and/or other supplemental equipment that can be purchased from Comcast or at electronic stores. Please call us if you would like to discuss the type of special equipment needed to resolve individual compatibility problems or if you have any questions regarding other equipment compatibility issues.

In order to enable you to utilize special features, which your television may have, we will make available, upon your request, equipment which will allow for simultaneous reception of two or more scrambled or encrypted signals and for tuning to alternative channels on a pre-programmed schedule. This equipment could include for example, converters and multiple descrambler/decoders and/or timers (or if such devices are not available, multiple devices will be provided), and signal bypass switches.

If you plan to purchase cable services that we scramble or encrypt, such as premium, pay-per-view or digital services, you should make sure that any converter, or navigation device or Digital-cable-ready television (which can receive digital cable services using a device that we must provide called CableCARD in place of a converter) that you purchase from a retail outlet is compatible with our system or Note: CableCARD will not support two-way, interactive services such as On Demand, pay-per-view and the Comcast interactive program guide. Sets capable of supporting two-way services will be available in the future, and Comcast is committed to supporting that technology when it becomes available.

Upon your request, we will provide you with the necessary technical parameters necessary for any converter rented or acquired from retail outlets to operate with our cable system. If you see advertisements for converters that have descramblers in them, you should understand that these devices may be illegal to use. Because of the need to protect our

scrambled services, we will not authorize the use of any converter/descrambler which does not conform to all required signal security specifications. People who use illegal converters/descramblers may be subject to prosecution for theft of cable service. It is unlawful to alter or tamper with any device belonging to a cable operator in order to receive, intercept or assist in receiving or intercepting any communications service offered over a cable system. People who take such actions may be subject to fines or imprisonment.

### Availability Of Special By-Pass Equipment

Some of the channels offered on the Comcast cable system may also be scrambled and viewed only if a set-top converter is used. However, as described above, a converter may limit your ability to use certain advanced features on your television set, DVD Player or DVD Recorder. If you use a converter and you have problems using the special features, additional special equipment may be necessary to regain some or all of these features. Comcast will consult with you in order to determine what specific equipment may be available to solve your particular situation. This equipment may include an additional converter, or, if you have a receiver that can tune our cable channels, possibly a switch (or a special converter with a switch) that will enable you to by-pass the converter and tune all unscrambled channels with your television set, DVD player or DVD recorder.

### Pay-Per-View Programming

Comcast may not have the right to distribute pay-per-view programming to commercial establishments, and you may not order or request pay-per-view programming for receipt, exhibition or taping in a commercial establishment. You may neither exhibit nor assist in the exhibition of pay-per-view programming in a commercial establishment unless explicitly authorized to do so in advance, by Comcast and our program provider. If you fail to abide by this restriction, you will be held liable for any claims made against you or Comcast on account of any unauthorized commercial exhibition.

### Remote Controls

If you use a converter with remote control capability, Comcast provides remote control devices for a monthly charge. In some areas, you may also be able to buy them from us. It is also possible the remote control that came with your TV, DVD player or DVD recorder is capable of controlling the converter box. In that case, please feel free to use it. Finally, you may choose to buy a "universal" remote control device capable of working with our converters at retail outlets, including many appliance or consumer electronics stores. Examples of compatible universal remote control devices include: Zenith, including Gemini's "Rabbit" series; the Mac-10 and the Mac-20; Mentek Memorex CP-8; Universal Electronics One Four All III; and Tandy Corporation 15902. Others may be available as well.

Any or all of the above remote control devices may not be compatible with the converters required for optional services voluntarily requested by you.

We hope this information has been useful. If you have any questions, please contact us. The phone number of your Comcast office is contained on your monthly bill, or in your monthly billing mailing.

## **Important Information**

### **Service Areas**

MA, NH & ME

### **Phone Numbers**

#### **Billing/Repair**

1-800-COMCAST (266-2278)

#### **New Services/Sales**

1-800-COMCAST (266-2278)

#### **After-Hours Repair**

1-800-COMCAST (266-2278)

### **Mailing/Office Address**

Comcast  
1 Comcast Center  
Philadelphia, PA 19102

## **Local Franchising Authorities**

Consumer Division of the  
Department of Telecommunications and Cable  
1-800-392-6066  
1000 Washington Street, Suite 820  
Boston, MA 02118

Office of the Attorney General  
Consumer Protection and Antitrust Bureau  
33 Capital Street  
Concord, NH 03301

Office of the Attorney General  
Consumer Information and Mediation Service  
6 State House Station  
Augusta, ME 04333

Quentin E. Gilman  
1309 NW Summer Beach Lane  
Silverdale, WA 98383

RECEIVED

JAN 12 2017

January 5, 2017

Town of Exeter  
Attention: Dave Sharples, Town Planner  
10 Front Street  
Exeter, NH 03833

EXETER PLANNING OFFICE

Dear Mr. Sharples,

My name is Quentin E. Gilman and I am writing to seek help with a project of my family.

The project is to replace or greatly improve the Tomb Stone of Nicholas Gilman, B. 1755, D. May 2, 1814, signer of the Constitution of the US of America. We are not asking for money. We simply feel that this person needs the respect of Exeter, NH, of the State of NH and of the US of America.

He is the Son of Nicholas Gilman, B. 1731 D. 1783, the first Treasurer of NH, who owned the Ladd Gilman House, noted as the State Treasury & now the American Independence Museum in Exeter. Nicholas Gilman the Treasurer had 8 children, 2 others of note are John Taylor Gilman and Nathaniel Gilman. Their plots, their father and mother, sisters, etc. are in the Winter Street Cemetery and have Tomb Stones.

To add a few notes on Nicholas Gilman the signer (he wasn't referred to in articles as Jr., so I refer to him as the "signer"), he joined the Revolution at the age of 20, given a Capt rank, adjutant of the 3<sup>rd</sup> Regiment, joined Washington's staff in 1778 as senior adjutant general. Served in the Revolution Army 6 years. At age 32 he was elected as a delegate for NH to the Constitutional Convention of 1787. He is the 3<sup>rd</sup> name on the US Constitution. His draft copy of the proposed Constitution with his marginal notes of amendments now hangs in his boyhood home, the State Treasury. He later became an elected House Representative and then a Senator in 1805 and served until 1814, where he fell ill returning home from Washington and died in Philadelphia. It is told to me by Mark Gilman, who is a descendant of Nathaniel Gilman, Nicholas's brother, and owner of the remaining Gilman farm, that Nicholas's body was brought back to Exeter and buried in the Winter Street Cemetery. No Stone was placed on the grave or doesn't exist today. No mention of where the grave might be has been found to my knowledge.

(continued from P. 1)

Now, Mark Gilman's 5<sup>th</sup> Great Grandfather, Joseph Taylor Gilman (grandson of Nathaniel) placed the present stone for Nicholas Gilman the signer, in the Exeter Cemetery. It is an approximately 3 ft by 6 ft marble stone which is unreadable and broken in pieces essentially lying on the ground. This is what our project is about, it has to be improved.

The Gilman farm was 5000 acres at one time. They donated land for the Phelps school, the Winter Street Cemetery and other needs. They now have 99 acres left. Mark is person responsible for the grave sight of Nicholas. I talked to him, he was very in favor of the project and said he would talk to Randy at the Exeter Cemetery and sign documents to OK the replacement of the stone. He suggested Granite instead of Marble and would like the present stone moved onto the Gilman Farm. After almost 2 months he has not talked to Randy nor answered any of my numerous calls. Mark Gilman's phone # is 603 944 1167. Randy's is 603 778 6167.

My family is related by Daniel Gilman, B. 1729, D. 1767, Nicholas Gilman the Treasurer's brother, thus Uncle of Nicholas the signer.

Two other Gilman's in Exeter, Julie and Greg, plus the American legion Auxiliary Secretary, Anita Shaffer, are standing by ready to raise funds and stand with us on this project. I can provide contact information. Also my SAR and American Legion Posts here in Washington are waiting to step up.

So, my question to you and your committee is: would you be interested in aiding us in this project? One fact that I think would be interesting to search is **where** Nicholas the signer's body was laid to rest in the Winter Street Cemetery. The project is presently blocked by not being able to reach Mark Gilman and getting him to meet with Randy and sign the OK for replacing the stone in the Exeter Cemetery. If that doesn't happen a second route would be to find a place for a Tomb Stone for Nicholas in the Winter Street Cemetery along with the rest of his family who are buried there.

If aiding this project would interest you please reply to my address above. My email is [qgilman@gmail.com](mailto:qgilman@gmail.com) and my phone number is 360 621 8304. I would really appreciate hearing from you.

Thank you.

Sincerely,



Quentin E. Gilman

## Water and Sewer rates

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Jennifer Perry <jperry@exeternh.gov>  
To: Russ Dean <rdean@exeternh.gov>

Fri, Jan 13, 2017 at 8:23 AM

Hi Russ,

I asked Ed Donahue (MFSG) for his perspective, and I think it is sound; please see below. The Board voted that the January bills would go out with the new rates, that is how it should be implemented.

I am still canvassing local water suppliers and will let you know what I find later.

Thanks,

Jennifer

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

From: **Edward Donahue** <edward.donahue@mfsgllc.com>

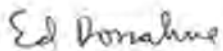
Date: Thu, Jan 12, 2017 at 5:15 PM

Subject: RE: Water and Sewer rates

To: Jennifer Perry <jperry@exeternh.gov>

Jennifer, your rules and regulations should say the new rates apply to all meters read or bills issued after a certain date, rather than saying that the rates apply to all water used after a certain date.

Some people will come to you and say, "Well, I used the water for which you are billing me before the date the meter was read." That's absolutely true, but it all evens out over time if you sit down and think about it. The important thing is to say explicitly that the new rates apply to meters read or consumption billed after a certain date. Do not go back to try to adjust bills for two months under the old rates and one month under the new rates, or things like that – you will go crazy, and you will still have customers who are unhappy.



Ed Donahue

**From:** Jennifer Perry [mailto:jperry@exeternh.gov]  
**Sent:** Thursday, January 12, 2017 5:01 PM  
**To:** Edward Donahue <edward.donahue@mfsgllc.com>  
**Subject:** Fwd: Water and Sewer rates

Hi Ed,

I hope all is well with you and the MFSG team and you had a wonderful holiday.

I hope you can give me a brief response regarding issuing bills with the new water and sewer rates at the end of this month. As we bill for the previous quarter, some of the water will have passed through the meter before the Board approved the new rates on Dec 5. I recall you saying something to the effect that it is allowable (not necessarily preferable).

Your thoughts?

Thanks you,

Jennifer

Bob Eastman

to me

Morning Mr. Dean,  
How do plan to justify implementing new water & sewer rate starting with January billing?

The Exeter Board of Selectmen adopted new rates for water and sewer December 5, 2016, per Town of Exeter website these rates are effective new water and sewer rates will be reflected in February 2017 for all customers. Exeter's, Deputy Tax Collector, communicated to me via email dated January 30, 2017 or January 31, 2017 and those will be at the new rates".

For customers receiving quarterly water and sewer bill January 2017 (this bill represents your usage for November through January). Remember, these services are billed in the arrears. Hence you should be billed at the old rates, since the new rate become effective January 2017. For customers receiving quarterly water and sewer bill February 2017 quarterly water bill (this represents water usage for December through January). For customers receiving quarterly water and sewer bill March 2017 quarterly water bill (represents water usage for January through March). The new rate applies to February and March.

Bob Eastman  
19 Hampton Falls Rd.  
Exeter

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Russ Dean <rdean@exeternh.gov>

to Bob

Greetings Bob,

I am not aware of any RSA that speaks to the implementation of water/sewer rates. If you know of one, please send it my way. I'm not aware there is anything (case law or otherwise) that states the amount of time before implementing changes in water/sewer rates.

My thanks,

Russ

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Bob Eastman

to me

Russ we had this discussion when I was on the board. The board at that time concluded water and sewer bills are billed in the arrears, and it was unreasonable to bill customers for

**From:** Russ Dean [mailto:rdean@exeternh.gov]

**Sent:** Thursday, January 12, 2017 9:32 AM

**To:** Bob Eastman <rdeastman@comcast.net>

**Subject:** Re: Water and Sewer rates

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Russ Dean <rdean@exeternh.gov>

to Bob

Bob that may have been the case at one time, however I am not aware the BOS ever formally adopted a holistic approach to this via a policy and we still do not have one today that deals

I think you know the BOS had been discussing rate changes as early as August of last year along with the W/S Committee, we had several public meetings regarding the changes, including the argument you are making, however you could also make the counterargument that we have been undercharging all year because both the water/sewer funds were running revenue deficits and we need to raise rates to make up the deficit? I don't think so. So it cuts both ways. The service charge of \$39 bears no relation to consumption and could be implemented anytime, so reconciling the

I'm giving you my take, if the W/S Committee wanted to recommend a different approach, that would be up to them to recommend, and my take at that point would be the BOS should address

My thanks,

Russ

On Fri, Jan 6, 2017 at 1:27 PM, Bob Eastman <rdeastman@comcast.net> wrote:

Linda, I understand January W&S bills have been mailed. Question were these customers billed at the old rate or at the rate the Selectmen adopted in Dec.

Thanks, Bob

The last water and sewer bills sent were December 30, 2016. The next bills mailed will be dated January 30, 2017 or January 31, 2017 and those will be at the new rates.

Linda A. Fecteau  
Deputy Tax Collector  
Town of Exeter NH

2017 Water/Sewer rates were adopted by the Board of Selectmen on December 5, 2016 the following rates are effective January 30, 2017.

**This tell me starting January 30, 2017 the following rates apply!**

2017 Water/sewer rates were adopted by the Board of Selectmen on December 5, 2016, the following rates are effective January 30, 2017.

Water Service Fees: \$39.50 per quarter

- Tier 1: \$ 7.19 per 1,000 gallons of use (up to 21,000 gallons/quarter)
- Tier 2: \$ 8.99 per 1,000 gallons of use (21,001 to 105,000 gallons/quarter)
- Tier 3: \$10.79 per 1,000 gallons of use (greater than 105,000 gallons/quarter)

Sewer Service Fees: \$39.00 per quarter

- Tier 1: \$ 5.25 per 1,000 gallons of use (up to 21,000 gallons/quarter)
- Tier 2: \$ 6.56 per 1,000 gallons of use (21,001 to 105,000 gallons/quarter)
- Tier 3: \$ 7.88 per 1,000 gallons of use (greater than 105,000 gallons/quarter)

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Since the January 2017 quarterly water & sewer bill (represents usage for November through January). Why are customers being billed at the NEW RATE, when they have already purchased this commodity at the OLD RATE.

Since the February 2017 quarterly water bill (this represents water usage for December through February). December and January needs to be pro-rated at old rate, new rate applies to February only.

Since the March 2017 quarterly water bill (represents water usage for January through March). January needs to be pro-rated, new rate applies to February and March.

Since this is an enterprise fund, if the Board decides to take no action, my only other options is to notify the Consumer Protection Office of the Attorney General.

Bob Eastman



Russ Dean &lt;rdean@exeternh.gov&gt;

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**Fwd: Jan W&S billing**

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Linda Fecteau <lfecteau@exeternh.gov>  
To: Russell Dean <rdean@exeternh.gov>

Wed, Jan 11, 2017 at 1:24 PM

Russ,

Here is the emails with Bob Eastman.

Linda

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

From: **Linda Fecteau** <lfecteau@exeternh.gov>  
Date: Fri, Jan 6, 2017 at 5:06 PM  
Subject: Re: Jan W&S billing  
To: Bob Eastman <rdeastman@comcast.net>  
Cc: Desiree Murphy <dmurphy@exeternh.gov>

The last water and sewer bills sent were December 30, 2016. The next bills mailed will be dated January 30, 2017 or January 31, 2017 and those will be at the new rates.

Linda A. Fecteau  
Deputy Tax Collector  
Town of Exeter NH

On Fri, Jan 6, 2017 at 1:27 PM, Bob Eastman <rdeastman@comcast.net> wrote:

Linda, I understand January W&S bills have been mailed. Question were these customers billed at the old rate or at the rate the Selectmen adopted in Dec.

Thanks Bob





Russ Dean &lt;rdean@exeternh.gov&gt;

## Unfair Billing Practice, Letter to Editor

Anne Surman &lt;annesurman3@gmail.com&gt;

Wed, Jan 18, 2017 at 9:10 AM

To: "Daniel W. Chartrand" <dchartra@rcn.com>, Russ Dean <rdean@exeternh.gov>, "dclement43@comcast.net" <dclement43@comcast.net>

I would request that we make this topic an agenda item at our January 30 meeting.

Why was this correspondence not in the packet?

Also, I had correspondence that should have been in the packet also.

It is not up to the Chair to pick and choose on correspondence.

Please go back and put in all emails that have come to the full board.

Thank you.

Anne

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

From: **Bob Eastman** <rdeastman@comcast.net>

Date: Mon, Jan 16, 2017 at 12:40 PM

Subject: Unfair Billing Practice, Letter to Editor

To: newsletter@seacoastonline.com

Cc: oca@oca.nh.gov, Russ Dean <rdean@exeternh.gov>, Jennifer Perry <jperry@exeternh.gov>, Doreen Ravell <dravell@exeternh.gov>, dchartra@rcn.com, Julie Gilman <juliegilman@comcast.net>, nbelanger411@gmail.com, Don Clement <dclement43@comcast.net>, Anne Surman <annesurman3@gmail.com>

### Unfair Billing Practice

EXETER Water/Sewer Rate Increase(s) were adopted December 5, 2016, per Towns website these rate(s) will be effective January 30, 2017. Rate-payers, keep in mind, Exeter "Bills in arrears" meaning those bill(s) received January, February and March reflect fees from the prior quarter before the billing month. Per Exeter's Deputy Tax Collector those new rates will start appearing with January billing.

The simple fact is that Exeter deceptively misled their customers and did not clearly explain in term of a monetary example of how the increase rate process works. This approach represents unfair billing the first quarter of 2017. I believe that Exeter fraudulently and with intention hid the facts that their customer(s) will incur overcharges for Exeter's own monetary benefit. As Mr. Dean stated "I am not aware of any RSA that speaks to the implementation of water/sewer rates. I'm not aware there is anything (case law or otherwise) that would indicate a town would need to wait a certain amount of time before implementing changes in water/sewer rates."

It is frustrating to fall victim to an unethical billing practice and taken advantage of by the Town. Perhaps Mr. Dean and the Board of Selectmen need to research Consumer Protection Laws. These laws were design to protect customers beyond the bounds of unfair or deceptive practices.

Bob Eastman

19 Hampton Falls Rd.

Exeter, NH

(603) 793-8218

rdeastman@comcast.net

cc:

Office of Consumer Advocate, NH

Russ Dean, Exeter Town Manager

Jennifer Perry, Public Works Director

Doreen Ravell, Exeter Finance Director

Daniel Chartrand, BOS - Chairperson

Julie Gilman, BOS – Vice Chairperson

Nancy Belanger, Clerk

Don Clement, Selectman

Anne Surman, Selectwoman



Russ Dean &lt;rdean@exeternh.gov&gt;

## Town needs to do the right thing

Bob Eastman <rdeastman@comcast.net>

Thu, Jan 19, 2017 at 12:27 AM

To: dchartra@rcn.com, Julie Gilman <juliegilman@comcast.net>, Don Clement <dclement43@comcast.net>, Anne Surman <annesurman3@gmail.com>

Cc: Walter Mitchell <waltermitchell@yahoo.com>, Russ Dean <rdean@exeternh.gov>

Board of Selectmen,

I have tried on numerous occasions to get clarification on the upcoming water/sewer rate increase. This is a pressing issue which needs to be addressed before any new bills are disseminated.

**Section 1605 of the Town Ordinance** "customers shall be charges for services and water consumption in accordance with the prevailing rates established by the Board of Selectmen and published in the Town of Exeter Fee Schedule.

**Fee Schedule Town of Exeter Revised December 2016 12/30/2016 8:28am** Water and Sewer Rates adopted 12/5/16, implemented in the 1/17 billing cycle.

On the town website **Tax/Water/Sewer Collection** page it states "2017 water/sewer rates were adopted by the Board of Selectmen on December 5, 2016, the following rates are effective January 30, 2017". **How can the board of selectmen and town manager implement the new water/sewer rates before the effective date?**

Therefore any bill that includes usage prior to the January 30, 2017 effective dates should reflect the old rate. If the town charges its consumers the new rate prior to January 30, 2017 they will be fraudulently billing its consumers.

Attached are my email communications with Russ Dean, the town manager, and Linda Fecteau, Deputy Tax Collector. Russ states, "the water/sewer funds were running revenue deficits as of 12/31/16, and are we going to back bill customers to make up the deficit? I don't think so". Linda Fecteau, Deputy Tax Collector, states "The last water and sewer bills sent were December 30, 2016. The next bills mailed will be dated January 30, 2017 or January 31, 2017 and those will be at the new rates". These bills will reflect usage before January 30 2017.

The town website, town manager and town deputy tax collector state all diverge as to when the rate increase will actually be reflected on the ratepayers bill.

The town of Exeter is engaging in unfair business practices. The definition of unfair business practices is: Unfair business practices include those that are harmful to the **consumer**. They can include contract violations, false advertising, misrepresentation of a good or service, **fraud**, scams or hoaxes. When corporations act in bad faith, they are committing unfair business practices. As an enterprise fund, the town operates the water/sewer district as a business. The town is acting in bad faith. The act of billing at the new rate for any usage before January 30, 2017, when the new rate goes into effect is unacceptable and as such the selectmen, town manager and tax collector need to be held accountable. If the town mails fraudulent statements to its consumers this could be considered mail fraud.

How should this be corrected? Prorated billing? Only bills reflecting any usage after January 30 2017 get charged the new rate? This needs to be addressed now. Will it take a lawsuit against the town to get the town's attention? Will it take individual lawsuits by every consumer or a class action?

The town needs to do the right thing because it's the right thing to do. That would be to charge the new rate to only usage incurred after January 30 2017.

Bob Eastman

19 Hampton Falls Rd

603-793-8218

TOWN OF EXETER  
 USAGE BY TIER - WATER FUND  
 2016 Rate required to eliminate deficit  
 Current rates + 27%

Month	Jan (3)	Rate	Revenue	Feb (1)	Rate	Revenue	Mar (2)	Rate	Revenue	\$\$ Totals	Gallons
TIER 1	10,593,725	7.26	76,957	17,632,941	7.26	128,093	13,795,498	7.26	100,216		
TIER 2	6,063,584	7.89	47,822	8,316,514	7.89	65,590	5,516,037	7.89	43,503		
TIER 3	2,489,511	8.47	21,088	3,504,895	8.47	29,690	3,144,885	8.47	26,640		
<b>TOTAL</b>	19,146,820		145,867	29,454,350		223,372	22,456,420		170,359	539,599	71,057,590

Service Charge 22,374 42,327 31,332 96,034

TIER 1	Apr (3)	Rate	Revenue	May (1)	Rate	Revenue	June (2)	Rate	Revenue		
TIER 1	10,299,647	7.26	74,821	17,025,087	7.26	123,677	15,591,445	7.26	113,262		
TIER 2	6,353,871	7.89	50,111	8,457,594	7.89	66,703	6,162,169	7.89	48,599		
TIER 3	2,380,092	8.47	20,162	4,851,694	8.47	41,098	3,426,456	8.47	29,025		
<b>TOTAL</b>	19,033,610		145,093	30,334,375		231,478	25,180,070		190,887	567,458	74,548,055

Service Charge 22,455 42,392 31,517 96,363

TIER 1	July (3)	Rate	Revenue	Aug (1)	Rate	Revenue	Sept (2)	Rate	Revenue		
TIER 1	11,791,726	7.26	85,660	21,967,928	7.26	159,584	16,822,920	7.26	122,208		
TIER 2	6,971,522	7.89	54,982	12,409,674	7.89	97,871	8,641,520	7.89	68,153		
TIER 3	2,546,664	8.47	21,573	10,711,553	8.47	90,736	3,586,650	8.47	30,382		
<b>TOTAL</b>	21,309,912		162,215	45,089,155		348,192	29,051,090		220,744	731,150	95,450,157

Service Charge 22,454 42,844 31,813 97,110

TIER 1	Oct (3)	Rate	Revenue	Nov (1)	Rate	Revenue	Dec (2)	Rate	Revenue		
TIER 1	11,451,222	7.26	83,186	18,590,858	7.26	135,051	14,007,958	7.26	101,759		
TIER 2	6,872,583	7.89	54,202	9,455,679	7.89	74,574	5,348,178	7.89	42,179		
TIER 3	3,435,005	8.47	29,098	7,849,653	8.47	66,494	2,702,344	8.47	22,891		
<b>TOTAL</b>	21,758,810		166,486	35,896,190		276,119	22,058,480		166,830	609,435	79,713,480

Service Charge 22,493 43,407 31,407 97,308

Total Usage Revenues	2,447,642
Total Service Charges	386,815
Slate Grants	9,014
Assessment Fees	34,640
Hydrant Maintenance Fee	15,000
Abatelements/Refunds/Credits	(7,576)
Final Billing	51,501
Other Charges (Interest, Miscellaneous)	44,318
Total Water Fund	2,981,354
Total FY16 Revenue Budget	2,975,555
Revenue Surplus/(Deficit)	5,798
Total FY16 Budget (Expense)	2,975,555

TOWN OF EXETER  
 USAGE BY TIER - SEWER FUND  
 2016 Rate required to eliminate deficit  
 Current rates + 16%

Month	Jan (3)	Feb (1)	Mar (2)	Revenue	Rate	Revenue	Rate	Revenue	Rate	Revenue	Gallons
TIER 1	10,575,225	17,782,547	13,262,686	54,467	5.15	91,587	5.15	68,308	5.15	68,308	
TIER 2	6,063,584	8,727,256	5,912,787	36,787	6.07	52,947	6.07	35,872	6.07	35,872	
TIER 3	2,489,511	3,750,997	7,495,087	16,230	6.52	24,453	6.52	48,862	6.52	48,862	
TOTAL	19,128,320	30,260,800	26,670,560	107,483		168,987		153,042		153,042	76,059,680

Service Charge	Apr (3)	May (1)	June (2)	Revenue	Rate	Revenue	Rate	Revenue	Rate	Revenue	Gallons
TIER 1	10,282,367	17,117,724	14,572,492	52,958	5.15	88,163	5.15	75,054	5.15	75,054	
TIER 2	6,353,871	8,715,896	6,254,669	38,548	6.07	52,878	6.07	37,946	6.07	37,946	
TIER 3	2,380,092	5,037,595	8,402,759	15,516	6.52	32,841	6.52	54,779	6.52	54,779	
TOTAL	19,016,330	30,871,215	29,229,920	107,022		173,882		167,779		167,779	79,117,465

Service Charge	July (3)	Aug (1)	Sept (2)	Revenue	Rate	Revenue	Rate	Revenue	Rate	Revenue	Gallons
TIER 1	11,653,228	21,698,396	15,532,287	60,019	5.15	111,755	5.15	79,997	5.15	79,997	
TIER 2	6,867,660	11,935,169	7,865,383	41,865	6.07	71,802	6.07	47,718	6.07	47,718	
TIER 3	2,546,664	8,967,940	8,494,180	16,602	6.52	58,464	6.52	55,375	6.52	55,375	
TOTAL	21,067,552	42,501,505	31,891,850	118,286		242,021		183,090		183,090	95,460,907

Service Charge	Oct (3)	Nov (1)	Dec (2)	Revenue	Rate	Revenue	Rate	Revenue	Rate	Revenue	Gallons
TIER 1	11,329,014	18,527,059	13,109,744	58,349	5.15	95,422	5.15	67,520	5.15	67,520	
TIER 2	6,751,381	9,639,657	5,543,869	40,959	6.07	58,482	6.07	33,634	6.07	33,634	
TIER 3	3,435,005	7,693,554	9,078,577	22,393	6.52	50,156	6.52	59,185	6.52	59,185	
TOTAL	21,515,400	35,860,270	27,732,190	121,702		204,059		160,339		160,339	85,107,860

Service Charge	Revenue	Rate	Revenue	Rate	Revenue	Rate	Revenue	Rate	Revenue	Rate	Revenue	Gallons
TOTAL	21,515,400		35,860,270		27,732,190		204,059		160,339		29,430	95,156
Total Usage Revenues							43,537				1,907,692	
Total Service Charges											378,438	
State Grants											65,180	
Assessment Fees											62,219	
Judy Hill Fees											6,749	
Abatelements/Refunds											(58,834)	
Final Billing											34,800	
Other Charges (Interest, Miscellaneous)											15,674	
Total Sewer Fund											2,411,919	
Total FY16 Revenue Budget											2,400,549	
Revenue Surplus/(Deficit)											11,370	
Total FY16 Budget (Expense)											2,400,549	

**TOWN OF EXETER - WATER/SEWER BILL SAMPLES - 2016\***

<b>Water/Sewer Bill Sample</b>	<b>Water</b>	<b>Sewer</b>	<b>Total Quarterly Bill</b>	<b>Yearly</b>
Usage/Gallons per quarter	10,600	10,600		
Divided/1000 (to get per 1,000 rate)	10.60	10.60		
Total Usage Charge	72.72	47.06		
Total Service Fee	<u>28.00</u>	<u>28.00</u>		
<b>Total Fee (Water/Sewer)</b>	<b>100.72</b>	<b>75.06</b>	<b>175.78</b>	<b>703.12</b>
Current Rates: \$6.86 per 1,000 gallons water, \$4.44 per 1,000 gallons sewer				

Sewer bills based on water use at 100%

\* Bill calculations based on Tier 1 consumption rates up to 29,995 per account

**TOWN OF EXETER - WATER/SEWER BILL SAMPLES - 2016 Adjusted\***

<b>Water/Sewer Bill Sample</b>	<b>Water</b>	<b>Sewer</b>	<b>Total Quarterly Bill</b>	<b>Yearly</b>
Usage/Gallons per quarter	10,600	10,600		
Divided/1000 (to get per 1,000 rate)	10.60	10.60		
Total Usage Charge	77.00	54.59		
Total Service Fee	<u>28.00</u>	<u>28.00</u>		
<b>Total Fee (Water/Sewer)</b>	<b>105.00</b>	<b>82.59</b>	<b>187.60</b>	<b>750.39</b>
<b>Increase in Bill</b>			<b>11.82</b>	<b>47.27</b>
Adjusted Rates: \$7.26 per 1,000 gallons water, \$5.15 per 1,000 gallons sewer				

Sewer bills based on water use at 100%

\* Bill calculations based on Tier 1 consumption rates up to 29,995 per account



**Richie McFarland  
Children's Center**

Building Brighter Futures for Children  
and their Families

January 18, 2017

Town of Exeter – Board of Selectmen  
Russell Dean, Town Manager  
10 Front Street  
Exeter, NH 03833-2792

Dear Mr. Dean and Board of Selectmen,

Please, extend our sincerest thanks to the residents of Exeter and the town officials for approving \$9,900.00 in response to our 2015-2016 Social Services funding request. On behalf of the families we served in your town last year, we truly appreciate your continued support along with your 3<sup>rd</sup> quarterly installment of \$2,475.00 (Check # 00035410 – Dated: 09/30/16) and your final 4<sup>th</sup> quarter check in the amount of \$2,475.00 (# 00036414 – Dated: 12/23/16).

Thank you for your commitment to the youngest residents of Exeter and your part in helping families have access to Early Intervention supports and services through the Richie McFarland Children's Center. This investment makes a significant difference in our ability to help children enter school ready to learn.

Please, do not hesitate to contact me if you have any questions, concerns, or comments. I can be reached at (603) 778-8193 or via our email address: [info@richiemcfarland.org](mailto:info@richiemcfarland.org).

Sincerely,

Peggy Small-Porter  
Executive Director

*Town Manager's Office*

**JAN 23 2017**

*Received*





January 10, 2017

Mr. Russell Dean  
Town of Exeter  
10 Front Street  
Exeter, NH 03833

Dear Russell,

Thank you for your recent payment of \$1,875.00 and for all the support from the Town of Exeter over the past year! Your donation is helping us continue our mission of providing children facing adversity with strong and enduring, professionally-supported relationships that **change their lives for the better, forever.** We have been doing it for 50 years!

It is due to your support, along with volunteers in the community, that we can help children achieve higher aspirations, greater confidence, and better relationships; avoid risky behavior; and succeed academically.

"I've noticed that my son has more pep in his step lately. **I think he finally feels that he has a male role model that cares about him which he has never had before.**" -a Parent

"I love my Big Sister so much and consider her a real Big Sister. **I have had so many positive changes in my life because of her.** She has taught me that it is okay to open up about my feelings to people. I always tell people how I am feeling now and it feels much better!" -Little Sister

**YOU are changing lives for the better.**

Your gift has a tremendous impact as we use it to recruit, interview, enroll and train volunteer mentors to be matched with children that are in great need of a Big Brother or Big Sister. Thank you for supporting BBBSNH and for building stronger communities!

Sincerely,

  
Gregg Burdett  
Chief Executive Officer

Our Federal Tax ID number is 02-0348477. No goods or services have been provided in exchange for this donation.

Headquarters: 25 Lowell Street #201, Manchester, NH 03101 (603) 669-5365  
Greater Keene: 310 Marlboro Street, Keene, NH 03431 (603) 352-9536  
Greater Nashua & Salem: 33 Main Street #401, Nashua, NH 03064 (603) 883-4851  
Greater Seacoast: 4 Greenleaf Woods Drive #201, Portsmouth, NH 03801 (603) 430-1140

# Families First

*support for families...health care for all*

January 11, 2017

Selectmen  
Town of Exeter  
10 Front St  
Exeter, NH 03833

Dear Selectmen,

Thank you for the Town of Exeter's payment in the amount of \$1,250.00 to Families First Health & Support Center, received on December 30, 2016. This completes your 2016 grant of \$5,000.

Last fiscal year, we provided affordable health and dental care and family support services to almost 6,400 adults and children. Here are just a few excerpts from the many testimonials and words of gratitude we received over the past year.

*Families First's Suboxone program has saved my life. It has saved a family from a lifetime of shame and hopelessness. ~ Dawn*

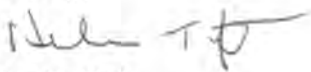
*The doctors and staff have seen me through years of adjustment to disability, and how to work to live better in spite of it. ~ Judy*

*Families First has been the single best resource for me since I had my first child. It gave me a reason to leave the house and helped me create a network of amazing parents. Coming here has been a bright spot in my life for the past five years. ~ Lauren*

*People don't realize that when you go through trying times you lose yourself in them, not because things start to get hard, but because you are viewed and talked to in a dehumanizing way. Families First treated us like human beings who are having a hard go of it. They have helped us in many ways, and they have changed our lives. ~ Robert*

Thank you for helping us to change lives.

Sincerely,



Helen B. Taft  
Executive Director

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## RECEIPT

Contribution Amount: \$1,250.00

Check #: 36378

Date: 12/23/2016

Families First is a 501(c) 3 tax exempt, not-for-profit organization; EIN #22-2757341.



New Generation, Inc.

Town Manager's Office

JAN 17 2017

Received

568 Portsmouth Avenue • P.O. Box 676 • Greenland, NH 03840 • Phone/Fax 603.436.4989 • www.newgennh.org

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January 9, 2017

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

Dear Mr. Dean,

Thank you so much for your most kind and generous \$500 donation to New Generation.

Your gift enables New Generation to provide critically needed programs for homeless, pregnant mothers or mothers to be and their babies. The vision for the organization was established in 1987 by Ruthie Ford, and today this vision is still being carried out, and New Generation has been able to have a positive impact on the lives of over 1,200 women and their babies.

With your help, it is possible to transform the lives of women who are struggling to overcome the cycle of poverty. Thank you for your commitment to enhancing the quality of life in the seacoast region and turning many dreams into reality.

Gratefully,

Meg Downey, MSW  
Executive Director

Thank You So Much!

**FOR YOUR TAX INFORMATION**

Tax ID# 02-0409655

No goods or services of any kind were provided in exchange for this gift.

Amount: \$500

Check Date: December 23, 2016

Check #: 00036401

*If you wish for this gift to remain anonymous, please contact [ED@newgennh.org](mailto:ED@newgennh.org)*



755 Banfield Road Portsmouth, NH 03801 603-436-6111 [www.oneskyservices.org](http://www.oneskyservices.org)

January 9, 2017

Mr. Dan Chartrand, Chairman  
Town of Exeter Board of Selectmen  
10 Front Street  
Exeter, NH 03833

Dear Mr. Chartrand:

*DAN,*

**One Sky Community Services** has been bringing valuable assistance and support to those with developmental disabilities and acquired brain disorders for over 33 years. A private 5013C nonprofit organization, we offer a comprehensive array of support services and life-enhancing activities throughout 24 communities on the Seacoast, including Exeter. Our sole mission is to enable infants, children, adults, and seniors to grow and enhance their abilities to live as independently as possible, as valued and fully participating members in their community of choice. One Sky facilitates planning, funding, and oversight with available community-based services to help clients expand their opportunities and attain their life goals.

Since its inception, One Sky has already served between 3,000 – 4,000 clients: a huge percentage of that number for the major portion of their lifespan. One Sky works with nearly 1,000 individuals on a yearly basis. At the present time, we are serving 141 families who live in Exeter.

It is very important to One Sky to continue to make a concerted effort to reach out to all the communities it serves through the various outlets available to us, to ensure that the people who live in these communities have a better appreciation of what we do and who we serve. One of those avenues is meeting with each of the 24 towns' Board of Selectmen/City Council.

It is my hope that your Board will allow us to be put on your agenda in the very near future so that we may have the opportunity to make a presentation to you and your fellow members who represent the residents of Exeter. Your understanding and awareness could foster invaluable support and guidance through the City's Health and Education Departments.

Thank you so much for your kind consideration of this request. You can contact Billie Tooley, our Director of Development and Outreach to set up a date and time at 603-436-6111 x.115 ([b.tooley@oneskyservices.org](mailto:b.tooley@oneskyservices.org)). Should you have any further questions, please do not hesitate to call me at any time (603-436-6111 x.103).

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Muns", written over a white background.

Chris Muns  
CEO