

Exeter Board of Selectmen Meeting

Monday, February 19th, 2018, 6:50 p.m.

Nowak Room, Town Office Building

10 Front Street, Exeter NH

1. Call Meeting to Order
2. Board Interviews – Planning Board (alternate)
3. Public Comment
4. Minutes & Proclamations
 - a. Proclamations/Recognitions
5. Approval of Minutes
 - a. January 29th, 2018
 - b. February 5th, 2018
6. Appointments – Memorial Day Parade Committee
7. Discussion/Action Items
 - a. Vino e Vivo Covenant 79-E
 - b. Epping Road TIF Update
 - c. Swasey MOU – Event Updates/Discussion
8. Regular Business
 - a. Tax, Water/Sewer Abatements & Exemptions
 - b. Permits & Approvals
 - c. Town Manager's Report
 - d. Selectboard Committee Reports
 - e. Correspondence
9. Review Board Calendar
10. Non-Public Session
11. Adjournment

Don Clement, Chairman

Exeter Selectboard

Posted: 2/16/18 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



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

**Statement of Interest
Boards and Committee Membership**

Committee Selection: Planning Board (Alternate)

New ☒

Re-Appointment ☐

Regular ☒

Alternate ☐

Name: Robin D. Tyner **Email:** rd.tyner88@gmail.com
Address: 9 Millstream Dr, Exeter, NH 03833 **Phone:** 757-635-7134

Registered Voter: **Yes** ☒ **No** ☐

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

I have a strong background in leadership, management and science, and an interest in community involvement. I have been involved with city projects in my hometown in Illinois, and while shadowing a friend/classmate involved in real-estate re-development in Maine. I retired from the US Navy in 2017 after 32.5 years active duty - serving all over the US and the world. My youngest son is a 10th grader at PEA.

Education includes : Dual-MS in Physical Oceanography and Meteorology (Navy Post-Graduate School);

MBA (Southern New Hampshire Univ); BS in Physics/Oceanography (USNA); various short courses and certifications.

My resume is attached, and my linked-in profile address is: www.linkedin.com/in/robintyner

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

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

After submitting this application for appointment to the Town Manager:

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

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

Signature: Robin D. Tyner **Date:** 13 February 2018



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

Statement of Interest
Boards and Committee Membership

Committee Selection: River Advisory Committee

New ☒

Re-Appointment ☐

Regular ☒

Alternate ☐

Name: Robin D. Tyner

Email: rd.tyner88@gmail.com

Address: 9 Millstream Dr, Exeter, NH 03833

Phone: 757-635-7134

Registered Voter: **Yes** ☒

No ☐

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

I have a strong science background and a long-standing interest in anything related to water. I live on Colcord Pond.

I retired from the US Navy in 2017 after 32.5 years active duty - serving all over the US and the world.

My last Navy job was with the Office of Naval Research, as a department deputy managing a substantial science and technology portfolio. My youngest son is a 10th grader at PEA.

Education includes : Dual-MS in Physical Oceanography and Meteorology (Navy Post-Graduate School);

MBA (Southern New Hampshire Univ); BS in Physics/Oceanography (USNA); various short courses and certifications.

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Signature:

Robin D. Tyner

Date: 13 February 2018



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

**Statement of Interest
Boards and Committee Membership**

Committee Selection: Energy Committee

New ☒

Re-Appointment ☐

Regular ☒

Alternate ☐

Name: Robin D. Tyner

Email: rd.tyner88@gmail.com

Address: 9 Millstream Dr, Exeter, NH 03833

Phone: 757-635-7134

Registered Voter: **Yes** ☒

No ☐

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

I have a strong science background and a long-standing interest in energy - especially energy efficiency and

conservation. I retired from the US Navy in 2017 after 32.5 years active duty - serving all over the US and the world.

My last Navy job was with the Office of Naval Research, as a department deputy managing a substantial science and technology portfolio. My youngest son is a 10th grader at PEA.

Education includes : Dual-MS in Physical Oceanography and Meteorology (Navy Post-Graduate School);

MBA (Southern New Hampshire Univ); BS in Physics/Oceanography (USNA); various short courses and certifications.

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

Signature:

Robin D. Tyner

Date: 13 February 2018

Robin D. Tyner

Rd.tyner88@gmail.com

757-635-7134 (C)

www.linkedin.com/in/robintyner

Summary: 20+ years of proven leadership, management and problem-solving in dynamic fast-paced environments at all levels of government. An innovative manager and effective team builder with superb strategic vision, solid communication skills, and a strong scientific and operational background. Experience leading organizations of all sizes and civilian/military personnel of widely varied backgrounds. TS/SCI.

- Leadership
- Financial & Program Management
- Strategic Planning
- Scientific Research & Application
- Executive Management
- Integrity, Perseverance, & Strength of Character

Experience & Accomplishments

- Managed a \$305M S&T budget, funding academia, industry, government labs, and small businesses, for a high-performing department. Her personnel received frequent accolades from Navy CNO, DoD, Congress, and international partners for innovation-transition-delivery. "Buys" research for developing technical capability in oceanography, acoustics, signal processing, unmanned systems, meteorology, etc.
- Oversaw high-profile unmanned systems programs/program officers with applications to oceanography, meteorology, ships/aircraft/submarines, etc. Engaged in field experiments, fleet demos & pentagon briefs.
- Handpicked to Navy Chief of Staff position to drive organizational change. Led cross-staff, cross-echelon workflow and synchronization across the entire Pentagon Navy staff. Coordinated policy, budget and manpower issues Navy-wide. Developed/implemented "Lines of Operation". Improved business flow, staff communication and teamwork. Organized/managed all senior flag/executive conferences/decision forums.
- Long-term Arctic Leadership/Engagement. Funded/oversaw numerous research efforts and multi-year field experiments, and coordination w/academic, indigenous, Pentagon, interagency and international partners. Coordinated Navy Arctic policy and congressional testimony (2015-2016), and research with DoD, DoT, USCG, and NOAA. Engaged in development of ICE-PPR. Completed Arctic-related master's thesis.
 - o Selected as one of five DoD attendees at the US Secretary of State's 2015 GLACIER conference.
 - o Facilitated CNO decisions briefs and tasked development of the US Navy Arctic Roadmap and the stand-up of Task Force Climate Change in 2009. Briefed Arctic Roadmap actions to TFCC in 2016.
 - o Supported Navy ICEX in mid-1990's and 2014-2016. Funded five 2016 ICEX research initiatives.
 - o US Navy rep to the 2016 "Governing Across the Waves Conference" hosted by the US Coast Guard Center for Arctic Study & Policy, and the 2016 Maine Arctic Forum/Arctic Council meetings.
- Expertly managed executive tasking. Drafted correspondence/recommendations for the Chief of Naval Operations, Commander, US Fleet Forces, Chief of Naval Research, etc. Facilitated implementation of Fleet-wide manpower actions and budget allocations. Helped draft congressional testimony for flag officers.
- Personally selected to support two Quadrennial Defense Reviews and three Pentagon Navy staff reorganization teams (2005/08/10), incorporating Joint Capability Area concepts, creating the Information Warfare community, and separating resource sponsors from budget and assessment branches.
- Following a 30% oceanography community reduction, consolidated all tropical cyclone support for the Gulf of Mexico, Atlantic, & E. Pacific. Developed processes and provided tailored recommendations to 41 bases, 3 regional headquarters, and 2 joint unified commands. Advised all east coast region/base/operational commanders on emergency actions (relocating equipment, evacuating aircraft/personnel, sorties....)

- Took over management of the in-residence training week for newly-selected admirals. Broadened the scope to include new Navy senior executive service (SES), revamped curriculum based on feedback, re-negotiated contracts, improved professionalism of presentations, and reduced cost by 50% in one year.
- Experienced event planner. Coordinated dozens of executive-level VIP visits, forums, industry days and conferences, including static displays, agendas/panels/guest speakers, meals/snacks, security, etc.
- Proven operational proficiency on sea duty (combatants, non-combatants & research ships), flying orders (STRATCOM Airborne Command Post "Looking Glass" and VP/Maritime Patrol and surveillance missions), combat & peacetime deployments, and shore duty (command, executive officer, operations officer, OIC).

Work Experience

- Deputy Director, Ocean, Battlespace Sensing, Office of Naval Research, Arlington, VA
Manages PhD program managers, technical contractors, and budget/admin/technical support staff
- Executive Assistant to Executive Director/Chief of Staff, US Fleet Forces, Norfolk, VA
Managed a myriad of budgetary, policy and readiness issues across the US Navy Fleet.
- Director, Executive Decision Management Office, Operational Navy Staff, DC. Led cross-staff, cross-echelon synchronization and workflow, managing policy, budget and manpower issues across all OPNAV directorates, SYSCOMS and the Fleet, and in coordination with SECNAV, Joint Staff and OSD.
- Commanding Officer, Navy Maritime Forecast Center, Norfolk, VA. Led ~70 providing enroute weather forecasting and ship routing for all DoD, USCG, NOAA, and allied ships in the Atlantic, Gulf of Mexico, Mediterranean Sea, and East Pacific. Provided tropical cyclone support for CONUS activities.
- OPNAV Assessments & Integration, Navy Lead for Joint Capability Areas, Washington DC
- U.S. Strategic Command. Airborne Command Post (A-team), METOC/WMD/Consequence Analysis, Nuclear Planning Element, and Theater Planning Response Cell, USSTRATCOM, Bellevue, NE
- METOC Officer & Officer of the Deck, USS KEARSARGE, Additional duty to 2nd MEB, Norfolk, VA
- Officer in Charge and Executive Officer, Navy METOC Forecast Detachment/Facility, Brunswick, ME
Managed eight detachments providing operational aviation/weather forecasts and acoustic predictions.
- Duty Officer, Forecaster, Typhoon forecaster, Navy Western METOC Center, Pearl Harbor
- Boat (Deck) Division Officer, USNS HARKNESS, Flores & Banda Seas, Indonesia
Operated/maintained seven boats; surveyed/collected navigational data for creating nautical charts.

Education

- Navy Corporate Business Course, UVA Darden School of Business, Charlottesville, VA
- DoD Science and Technology Manager Level III Certification, Defense Acquisition Univ.
- Joint Forces Staff College, Norfolk, VA
- Dual-MS in Physical Oceanography & Meteorology, Navy Post-Graduate School, Monterey, CA
Arctic-themed Thesis: "Decadal Variability of the Thermohaline Layer in the Beaufort & Chukchi Seas"
- MBA, University of Southern New Hampshire (Brunswick, ME campus)
- BS in Physics/Oceanography, U.S. Naval Academy, Annapolis, MD
- PMP certification in progress

Boards, Certifications, Affiliations

- DoD/Navy quals: Joint Service Officer, Surface Warfare Officer, Information Warfare Officer, Naval Aviation Observer, DAWIA Science & Technology Manager (Level 3), In-flight Meteorologist
- US Naval Academy Alumni Association
- American Geophysical Union
- American Association for the Advancement of Science
- Nonprofit Board member (past and present)

Board of Selectmen

1/29/18

6:30pm

1. Call Meeting to Order

Dan Chartrand, Anne Surman, Kathy Corson, Julie Gilman, Don Clement, and Town Manager Russ Dean were all present. The meeting was called to order at 6:30pm by Chairman Clement.

2. Diane Greenhalgh – 165 Kingston Road

The board moved to the Wheelwright Room to discuss this town-owned property, and to conduct interviews for the arts committee and the memorial day parade committee. The meeting was reconvened at 7:00pm.

3. Board Interviews – Arts Committee, Memorial Day Parade Committee

4. Public Comment

Selectwoman Surman updated the public about the parkway. She said that it is under construction, and that vehicles are not supposed to be on the road because it is unsafe. If people walk through, they should stay on the side by the river.

Chris Soutter, a member of the budget recommendations and human services committees, said that she felt that the board of selectmen should manage the meetings better and be more respectful to volunteers of the town. She said that she has seen people kept waiting to speak, and then they are asked to come back to another meeting, or not invited at all.

5. Minutes & Proclamations

a. Proclamations/Recognitions

There were no proclamations at tonight's meeting.

6. Approval of Minutes

a. January 8th, 2018

Chairman Clement suggested that on page 3, in the 3rd paragraph, it be clarified that they are looking for approval to speak to the town attorney. He also suggested that the word "article" should be removed on page 6, in the 2nd motion.

MOTION: Selectman Chartrand moved to approve the minutes as amended. Selectwoman Surman seconded the motion, and it passed unanimously.

b. January 16th, 2018

Chairman Clement pointed out that for one of the articles on page 6, they were asked if by adopting the article they were adopting the RSA. Mr. Dean said that the question has been submitted but not answered yet by the legal counsel.

MOTION: Selectman Chartrand moved to approve the minutes as amended. Selectwoman Surman seconded the motion, and it passed unanimously.

7. Appointments – Planning Board

MOTION: Selectwoman Surman moved to appoint David McGilvary as an alternate member to the planning board, term to expire on April 30th, 2019. Selectman Chartrand seconded the motion, and it passed 3-2-0, with Selectwoman Surman and Chairman Clement voting nay.

8. Discussion Items

a. Lincoln Street Improvements Project Presentation – DPW

Jen Mates, the assistant town engineer, said that the first phase of the project was the water main replacement in 2015/2016 for 1.3 million dollars. In March 2017, a 2.8 million dollar budget was approved for phase two. CMA Engineers did the design work, and Ironwood Design is also working on the project. They are looking to send the project out to bid within the next few months.

Phil Corbett from CMA Engineers, showed the anticipated project schedule. They are planning on sending it to bid in February-March, then constructing from April-December 2018, and possibly in April-May 2019 if it is not completed this year. Some of the objectives include a complete street design for better accessibility and comfort for all users. They are also considering safety, function, and aesthetics. They want to limit the impacts to parking, while creating a gateway to the town from the train station. Also, they are planning on utility improvements and limiting the impact from stormwater runoff. There are three distinct areas: residential, commercial, and school areas.

Jennifer Martel, of Ironwood Design, showed the board the commercial area. They want to focus on pedestrian comfort and safety, and increasing ADA compliance. They will also increase storefront visibility and improve parking on Daniel Street. The site plan includes widening the sidewalk, adding loading zones, defining parking, adding new crosswalks, and adding parallel parking and a gateway plaza. She also showed a cross-section of the proposed additions to roadways, and the enlargement of the gateway plaza, which will include planting beds and long benches.

Mr. Corbett talked about the school zone. He said they plan to improve the amount of space in front of the school to expand the sidewalk, and to create better stormwater management. They will add new trees, add a tabled crosswalk, a new ADA parking spot, and potential municipal parking. The tabled crosswalk gives more priority to pedestrians and improves visibility.

Ms. Martel showed pictures of the various paving options for the plaza and school crossing. She then moved on to the residential area, which also includes the church. They want to replace curbs and sidewalks, make crossings ADA accessible, and stripe the parallel parking. There will need to be some street tree replacement to avoid touching power lines. The Front Street intersection will be improved to add visibility.

Selectwoman Gilman asked about the winter parking ban, and also asked about how the beginning of school will affect the timeline. Mr. Corbett said that in the last project, they restricted machinery operation to follow pick-up and drop-off times within the school zone. They would like to get a lot done during summer vacation. Selectwoman Corson asked what was happening with the trees. She suggested using the red paving to define the space in the plaza, and also liked the lighted bollards to

reduce the chance of plows hitting them. Mr. Corbett said that they will use a filtered system to reduce stormwater quantity and quality. Rain gardens could be an educational opportunity with the school.

Selectwoman Surman would like to finish construction in one season to reduce the impact on businesses. Chairman Clement said that he thought that they should let the residents of the area vote on the color for the paving. He also asked if the Daniel Street residents had input on the parking there. Mr. Corbett said that they didn't have a lot of concern around the business area, where the work will be done.

Denise Landis said that she thinks the project looks beautiful. She likes the red paving and solar lighting because it will help to give low lighting at night while not adding to light pollution. She suggested they look into burying power lines so that they would not have to cut down trees. Mr. Corbett said that the cost was not feasible for the project's budget, and that they would replace trees taken down with shorter trees.

b. EXTV Use Proposal – Town Hall “Band Room”

Bob Glowacky said that the EXTV team is looking for new office space so that they are able to separate the IT and TV offices to improve efficiency and public appearance. He showed the board a picture of the office space which is currently shared. The band room in the town hall is generally unused and is being used for storage. The room already has internet installed, and could be rearranged. He showed a potential design for the space. They would add desks for video editors, and create a welcoming space for meeting with citizens about their shows, as well as adding shelves for TV and AV equipment. The estimated cost would be about \$4,000. It would take a few weeks to two months to get the space set up.

Selectman Chartrand said that the space would be a good use for the idea. Denise Landis, who launched a digital magazine called The Cook's Cook and is filming a new TV show with EXTV. She said that she will be promoting Exeter through her large social media following and thinks that the idea for the new space is great as she continues to work with EXTV.

Selectwoman Surman asked where the sheet music that is currently in the band room would go. She also asked how many staff are employed by EXTV. Mr. Glowacky said that the board would discuss what to do with the music. The majority of it is stored in file cabinets currently. The \$4,000 would be taken out of the cable TV fund. The staff varies because of a lot of students are seasonal, they usually have around 5 people working a maximum of 29 hours a week. Selectwoman Corson said that it is a great idea to use the open space. Mr. Glowacky said that the editing computers and things in the town office building would stay the same, and the Channel 22 server and camera controls would stay.

Selectwoman Gilman said that she thinks that the IT and TV department need space to diverge, although she is concerned about what to do with the music. Some of it may still be under copyright, and they could donate that the schools. Some might be as old as the civil war period. They could give away rights to borrow and purchase the music. Or, they could organize it better and move it into another space like the basement of the town hall. Chairman Clement said that he wants to move the music temporarily until they can find a good space for it. He said that he thought the budget might be too low, and suggested a higher budget of \$10,000.

Mr. Dean brought up the editing capacity of the current space, and that it would be a good idea to have additional space for that. It would boost productivity, and they could also use the stage in the town hall for production in the future.

MOTION: Selectman Chartrand moved to approve a budget of up to \$10,000 from the cable TV fund for this project, pending securing a new location for the sheet music. Selectwoman Gilman seconded the motion, and it passed unanimously.

c. RSA 79-E – Vino E Vivo– 129 Water Street

MOTION: Selectman Chartrand moved to open the public hearing. Selectwoman Gilman seconded the motion, and it passed unanimously.

Tony Callendrello, the owner of 163 Water Street C-1, bought the consignment shop in November 2017 and plans to open a wine bar and restaurant. He worked with Darren Winham to possibly restore the space to a historical look. It was re-finished in the 1980's. He would like the relief of 79-E, because he will be putting in \$104,000 of improvements. The space is valued at about \$107,000. It is in the historic district, and would contribute to economic development, increase foot traffic, and would also improve safety down the staircase because of lighting improvements. The mechanical systems are old, and he will be replacing all of it with new heating, lighting, and air conditioning to improve energy efficiency. He is requesting a 7-year abatement.

Selectman Chartrand asked if the abatement would be on the increased valuation of the property, not on the base value. Chairman Clement confirmed that it would be. Mr. Winham said that he believes it meets the requirements for public benefit. Mr. Callendrello said that they would want to start the construction as soon as possible, and would like to open by the May 2018. Mr. Winham said that the board has 45 days to make their decision, and that the assessment of the property might not go up a lot because most of the changes would be made to the interior.

Nicholas Gray said that he supports the project and the application, and thinks that it passes all the requirements for 79-E relief. He thinks that the wine bar would be a great addition to downtown.

MOTION: Selectman Chartrand moved to close the public hearing. Selectwoman Gilman seconded the motion, and it passed unanimously

Mr. Winham said that the application would just be looking at this one unit, and that it would not overlap onto other properties within the split building. Selectwoman Gilman asked where they would put the ventilation systems. Mr. Callendrello said there would be no open flames, because the menu would just be small plates. He has worked with the fire department, and would not need a hood. There are already some vents in the wall. Selectwoman Surman asked if not receiving the 79-E relief would prevent him from completing the project. Mr. Callendrello answered that it would greatly impact the project, but that he would still go forward with it.

Selectwoman Surman thought that the term should be less than the requested 7 years, because it is a small project. Selectman Chartrand said that he thought it met all criteria, and that there is nothing in the definition about external vs. internal projects. He thought that 7 years was reasonable term. Chairman Clement was concerned that the project was simply renovation and not rehabilitation, and was also not sure if it fit into 79-E relief. Selectwoman Gilman said she thought that it counted as

rehabilitation, because the alternative would be to build a new structure. Mr. Callendrello would be refilling an empty space which is currently not being used. Selectwoman Surman pointed out that the property was a viable business until very recently, and also was not sure about the qualifications for 79-E.

The board also brought up the concern that the property is part of a larger structure that is split up, and the 79-E language makes it seem that only separate buildings are qualified. Mr. Dean said that when the legislation was introduced, it was meant to be used in a flexible way by governing bodies. He also said that most of the 79-E relief granted has a term of 5-7 years. Selectman Chartrand said that he didn't want to limit the relief to standalone buildings, because so much of Exeter's downtown consists of buildings divided up into smaller properties. Selectwoman Corson agreed with this sentiment. Mr. Gray asked if the assessment would be held static at 2018 rates. Chairman Clement said that if they grant the relief, the assessed value would stay the same until the relief period expires.

MOTION: Selectwoman Gilman moved to approve the 79-E application for VINO e VIVO by Tony Callendrello, stating that it meets all the requirements. Selectman Chartrand seconded the motion, and it passed 4-1-0, with Selectwoman Surman voting nay.

MOTION: Selectwoman Gilman moved to approve a tax assessment relief period for VINO e VIVO for a period of 5 years, beginning on the completion of construction, as well as a 2-year relief for the qualification of the historic district location. Selectman Chartrand seconded the motion, and it passed 4-1-0, with Selectwoman Surman voting nay.

d. Epping Road TIF Agreement

Chairman Clement said that the town had a potential agreement with Mr. Shafmaster, and that the town attorney has been reviewing it to make sure the town's interests are protected. It will be given back to the board soon. The work on Epping Road cannot begin until April.

e. Public Hearing: 2018 Grant Acceptances

MOTION: Selectman Chartrand moved to open the public hearing on this issue. Selectwoman Corson seconded the motion, and it passed unanimously.

Mr. Dean said that sometimes grants are received at different times of the year, and that the purpose of this was to set up one public hearing for any grants received during the year.

MOTION: Selectman Chartrand moved to close the public hearing on this issue. Selectwoman Corson seconded the motion, and it passed unanimously.

9. Regular Business

a. Tax, Water/Sewer Abatements & Exemptions

MOTION: Selectwoman Corson moved to approve veteran's credits for map 62, lot 66 for \$500. Selectman Chartrand seconded the motion, and it passed unanimously.

MOTION: Selectwoman Corson moved to approve disability exemption for map 62, lot 66 for \$2,000. Selectwoman Gilman seconded the motion, and it passed unanimously.

MOTION: Selectwoman Corson moved to approve veteran's credits for map 68, lot 6, unit 726 for \$500, and map 72, lot 106 for \$500. Selectwoman Gilman seconded the motion, and it passed unanimously.

MOTION: Selectwoman Corson moved to approve disability exemption for: map 64, lot 105, unit 47; map 95, lot 64, unit 80; for \$125,00 each. Selectwoman Gilman seconded the motion, and it passed unanimously.

MOTION: Selectwoman Corson moved to approve elderly exemption for: map 55, lot 24; map 71, lot 106; map 104, lot 79, unit 108; and map 104, lot 79, unit 954, each for \$152,251. Selectman Chartrand seconded the motion, and it passed unanimously.

MOTION: Selectwoman Corson moved to approve elderly exemption for map 80, lot 6, unit 41; map 64, lot 21; map 95, lot 64, unit 237; map 95, lot 64, unit 160; each for \$183,751. Selectman Chartrand seconded the motion, and it passed unanimously.

MOTION: Selectwoman Corson moved to approve elderly exemptions for map 104, lot 79, unit 219; map 104, lot 79, unit 604; and map 71, lot 3; each for \$236,251. Selectman Chartrand seconded the motion, and it passed unanimously.

MOTION: Selectwoman Corson moved to approve solar exemption for map 73, lot 21, which does not currently have a value. Selectwoman Gilman seconded the motion, and it passed unanimously.

MOTION: Selectwoman Corson moved to approve water/sewer abatement for 40 Hampton Road, C-20, for \$140.36. Selectwoman Surman seconded the motion, and it passed unanimously.

b. Permits & Approvals

Sarah Martin of the Prescott Park Organization requested the use of the town hall stage for rehearsals from November 19th-25th, and December 3rd-19th. Mr. Dean said that it conflicts with another planned event, but that the groups are working together to share space on the days that they overlap. The Festival of Trees, also, will be on December 6th and 7th, and they will not conflict with each other.

MOTION: Selectwoman Corson moved to approve the use of the town hall by the Prescott Park Organization on November 19th-25th, and December 3rd-19th. Selectman Chartrand seconded the motion, and it passed unanimously.

MOTION: Selectman Chartrand moved to approve the use of the town hall stage for the congressional district forum by Joseph Sweeney from 5-8pm on March 3rd, 2018.

MOTION: Selectman Chartrand moved to approve the use of the town hall by James Defree for the Pine Street Players from November 1st-November 20th. Selectwoman Gilman seconded the motion, and it passed unanimously.

MOTION: Selectman Chartrand moved to approve the use of the town hall and the bandstand for the TEAM equinox fest, on September 21st-23rd. Selectwoman Gilman seconded the motion, and it passed unanimously.

The board said that they will need input from public safety about the road closure and parking requests from TEAM for this event.

MOTION: Selectman Chartrand moved to approve the use of the town hall for the Exeter Area Chamber job fair from March 14th-15th. Selectwoman Gilman seconded the motion, and it passed unanimously.

c. Town Manager's Report

Mr. Dean said that they are approaching town report time, and will be getting a lot of reports in. They are in the process of preparing for the deliberative session on Saturday. The warrant information is on the website. They also have a special block on the website for town meetings on the front page. He recognized the efforts of the police department who have caught the bank robber that was local. The breach analysis for the Pickpocket Dam will be available for comment on website. The energy committee is reformed and has begun an LED streetlight project. The conservation commission has a property lined up to be a donation to town. 18 Garrison Lane was sold for \$148,500, the town was able to total \$135,000. He also thanked everybody for participating in the small business revolution, and recognized Darren Winham's efforts as well. Selectwoman Gilman suggested adding something to the website about the small business revolution on the front page.

d. Selectboard Committee Reports

Selectwoman Gilman said that she had nothing to report this meeting. Selectwoman Corson said that the planning board had a meeting, and went through the master plan. They will be adopting it at the next meeting. They also did a lot line adjustment, and had a discussion about the Rose Farm subdivision. Selectwoman Surman also said that she had nothing to report at this meeting.

Selectman Chartrand said that Horsley Witten attended the planning board meeting about the master plan, which he was pleased to see. He said that he was very proud of everybody who had worked on the master plan.

Chairman Clement said that he had a river meeting, and they were presented with a breakdown of costs associated with the dam removal. It cost roughly \$2,000,000, and the town received about \$1,000,000 in grant money. They also had a presentation on section 106 for the historic aspect of the dam, and some displays of the glass etching and mockup of the panel for the dam. They were also updated on the letter of map revision, which was sent to FEMA. They also had some retirements in public safety, and he attended the opening of the new field house at Phillips Exeter.

e. Correspondence

There was a letter from Dave Sharples about the renaming of the streets by the E-911 committee. They had already done some and will have a public hearing to get a gauge of public opinion. Selectwoman Gilman asked if the proposal could be amended at the public hearing, instead of having a second public hearing.

Seacoast Family Promise and Big Brother, Big Sister both sent a letter thanking the town for their gift from the human services fund.

There was a letter from Lindt/Sprungli about installing a deduct water meter on the cooling tower makeup. It has been sent to public works for their input.

There was also a letter from XFINITY notifying the town that they are changing their fees.

10. Review Board Calendar

The deliberative session is at 9am at the Exeter High School on February 3rd. The board members will speak to specific articles, and then the budget will be presented by Mr. Dean. The citizen's petitions are not presented by the board.

The next regular meeting will be on February 5th.

11. Non-Public Session

There was no non-public session at this meeting.

12. Adjournment

MOTION: Selectman Chartrand moved to adjourn the meeting at 10:00pm. Selectwoman Gilman seconded the motion, and it passed unanimously.

Respectfully submitted by recording secretary Samantha Cave.

Exeter Board of Selectman
February 5, 2018
Draft Minutes

6:50 pm Called to Order by Chair, Don Clement for Board Interviews – Memorial Day Parade Committee, two candidates, Sandy Winter and Jane Kiernan.

7:00 pm Called Regular Session to Order by Chair, Don Clement

Board Present: Dan Chartrand, Anne Surman, Don Clement, Kathy Corson, Julie Gilman, also Town Manager Russ Dean

Others Present: Beth Dupell, Bob Hall, Patricia Quinn, Michael Licata, Chico Dafonte, and Huck Montgomery

Public Comment: Beth Dupell spoke on Small Business Revolution gathering on February 13th, 2018 on Facebook Live they will announce the top five towns at 7a.m. There will be a gathering in Town Hall. The media is coming. She is getting out the word to vote for Downtown Exeter. Voting starts immediately. Anyone can vote, and all votes count. The stipulation is one vote per email per day for one week. Vote at <http://smallbusinessrevolution.org>. She also stressed the benefits to the downtown area and the visibility for Exeter's businesses.

Mr. Clement commented on the enthusiasm that the Small Business Revolution has created in town and the event in town 10 day ago. He acknowledged the good work of Ms. Dupell and Craig and those working on the committee.

Approval of Minutes – TBD

Minutes & Proclamations

Appointments

Ms. Surman motioned to appoint Kelly Nagle, term to expire April 30, 2019, to the Exeter Arts Committee.

Mr. Chartrand seconded the motion. Motion passed unanimously.

Ms. Surman motioned to appoint Susan Drinker to the Memorial Day Parade Committee no term.

Mr. Chartrand seconded the motion. Motion passed unanimously.

Discussion/Action Items

Mr. Bob Hall, chair of the Exeter Station Committee Introduced Ms. Patricia Quinn, Executive Director of NNEPRA who presented an update on the Downeaster and Amtrak and the positive impact to the community and downtown businesses. She provided an overview of who they are and what they do. They are a small government agency formed by the Maine State Legislature for the purpose of establishing and managing passenger rail service in Maine. They are a small committee formed of seven individuals. Their focus is forming Partnerships, Performance,

Promotion, Projects, and Passengers. She presented on Operation statistics, History, discussed their operating partner, Amtrak, the maintenance and facilities, their host railroads that they travel over. She also shared their dining service with NexDine and the Station Communities. She reported on the growth in ridership, revenue and rider demographics and statistics of the travelers and where they go. She moved into the Finances of Operating Revenues. Over the course of 16 years of service they served 6.85 million riders and earned 102 million in ticket revenue. They traveled over 550 million passenger miles. Their operating revenues and operating expenses in fiscal year 2017 were 10.15 million and 21.85 million, respectively. Funding the gap between the revenue and expenses are funded by 46% from the fairbox, 43% Federal Transit Administration and 11% local and state funds. She also discussed Customer Experience: On Time Performance and Customer Satisfaction which is one of the highest in the country. Ms. Quinn also highlighted the economic growth that the community stations support in their respective towns. New projects were the Brunswick Layover Facility and Portland Layover Facility which were completed. Future projects in Maine: the PIDS and Royal Siding. New Hampshire Improvements are the Rockingham Siding and Tie Replacement. Amtrak is investing in their interiors and refreshing the look with new lights. Host special events as well as service expansion.

Comments

Ms. Gilman stated that while she works with the State Legislature that she realizes New Hampshire does not have a huge voice in the whole operation mostly because they do not provide a whole lot of funding. She asked, "What would you like me to do about that?"

Ms. Quinn responded that, that it would be great. She said that they have made formal requests to NH DOT for some level of operating support to help keep service going as fuel and operating cost go up. And that they were really please this past year when they announced the CMAC funding and they were considered and actually granted funding. She stated that the Maine Legislature that she reports to once a year really didn't like it very much, but they really try to focus on ridership of the passengers. She also responded that the state on the whole does not contribute to the funding; all three of the station communities are extremely supportive and vocal. Investment in something other than roads and vehicles that run on roads just does not seem to be where New Hampshire is at this time.

Ms. Gilman added that recently she was taking several trips down to Boston and back and wondered if the fare charges had changed at different times of the day. She asked if this is this something that the Downeaster are trying out.

Ms. Quinn responded that Amtrak has gotten much more diverse in the way that it sells tickets. That there is a fair table that's kind of like the worst case scenario, but it changes from there. It seems to be working out, she reported, because the revenue growth is outpacing our ridership growth. They have a few peak trains. She said that they try really hard to maximize growth. When trains are going to be full it's going to be a premium. They are trying to be smarter and more strategic. She also said that they are trying to cover more consistently 50% of their revenue through the fare box, trying to be a little more aggressive through fairs, and changing fair structures.

Ms. Corson commented that in her other life that she is a realtor and recently sold a house to a young couple, the husband specifically wanted to live near the train, so that they could walk to the train. She also went on to say that when she is down around that area, people are not as put off by that area because the Downeaster is so popular as people would have been before

because they see that as a real positive thing. She also added that after work in the area of the train station is completed that the station will look a lot nicer soon.

Ms. Quinn commented on way finding and the walk to downtown. She also relayed a story about the Amtrak Vice President of Marketing who came up from South Station on the train with family and friends. When they came out of the station and asked for directions to their bed and breakfast, it was Mr. Hall who said, "Climb in, I will take you there." Where else does this happen. This is just part of what makes this service distinctive, the community caring.

Ms. Surman thanked Ms. Quinn for the presentation, and added that when the town got the train, it was a huge impact. She asked if New Hampshire gets light rail how that will impact the service.

Ms. Quinn responded that they would probably coexist. She doesn't believe that they would share a lot but that they would probably share slots at North Station. She also went on to say, if you look at the numbers, the people and the travel patterns really seem to support it. Ridership is growing... People aren't doing this because of nostalgia, they're doing it because they don't want to drive because driving is expensive.

Mr. Brown thanked Ms. Quinn for the presentation. He went on to say that with the Lincoln Street reconstruction process that is going on. He believes that a big reason why residents have supported it so overwhelmingly has been because of the activity that the station has brought to the area. It has not only created awareness it also created awareness that we need to provide those amenities. He also commented that the designers of the project are bearing down on the way finding. Mr. Brown also related a personal story about an author he hosted and gave a ride back to the train station who commented on the ease of using the Downeaster service.

Mr. Clement thanked Ms. Quinn for the presentation and thanked Mr. Hall and Don Briselden for their service.

Presentation: Liberty Utilities Natural Gas Expansion Project

Michael Licata, Director of Government and Community Relations presented The Granite Bridge Project Overview discussing Liberty Utilities and their position in the state as a company. The project which is a 340 million dollar project designed to serve New Hampshire. It will be a 27 mile pipeline between Stratham and Manchester residing within the NHDOT right-of-way on the south side of route 101. He discussed the needed infrastructure investment of the project. He also went into detail of the path of the pipeline utilizing the Concord lateral and Exeter's piece of the pipeline path. Mr. Licata described the design and functionality of the storage facility that would be located on a 140 acre site in Epping off of route 101 and that it would be a full containment facility. The total footprint of the facility would be 15 acres. He reported to the board the safety measures and monitoring that would be in place for the facility and pipeline, constructing it as if it is in a high consequence area. He also demonstrated before the board LNG's safe storage history of 70 years and their commitment to safety. He provided a brief analysis of the benefits to Exeter with minimum impact to private and town property and provided a brief discussion on Tax Revenues. Finally, he discussed the Regulatory Review Process that they will take with this project and a time line of events to bring this project to fruition.

Comments

Mr. Chartrand responded that Mr. Licata's presentation was one of the more thorough presentations that they have had and that he didn't have further questions.

Ms. Surman asked if there are there any documented incidences with the LNG tank.

Mr. Licata responded that LNG has an excellent safety track record. The State Association for Fire Marshals has a document, *LNG for First Responders*. There were only three documented issues recorded. The most significant one, he stated, one would have to go back to 1940s with the second tank constructed. It was constructed during the war out of a non stainless steel when materials were scarce and failed immediately. The standards greatly improved since then. He also shared that they have hosted an open house for first responders at their training center in Concord. Our goal is to provide a lot of information and to keep an ongoing relationship with the town and first responders.

Ms. Corson asked if they would be coming before the Planning Board. She also asked about the surrounding communities near route 125, would they be able to take advantage of service.

Mr. Licata said he would be coming before the Planning Board. He also said that they would look forward to working with Unitol.

Ms. Gilman thanked Mr. Licata for a thorough presentation, and went on to say that it is good to have this out in front of the board so far ahead. She also responded in citing the news and the Site Evaluation Committee have been seemingly backlogged in their communication. She commended that this is a great beginning for Liberty to be able to prep the Site Evaluation Committee for their requirement for public meetings, public input. She said further that this was her hot topic as far as the Northern Pass. Citizens didn't believe they had enough input on the project or just didn't know what was going on and that this was something to keep in mind on this project.

Mr. Licata agreed.

Mr. Clement added that he didn't realize that 101 DOT had such a wide right of way on the south side of the highway.

Mr. Licata replied that they took the design drawings from DOT data and overlaid them. They haven't gone out and survey the right of way or our preliminary design route yet. The route is preliminary. He also said that they are absolutely committed and very confident that they will be completely in the right of way. He confirmed that they do need to go out and survey the design route.

Mr. Clement inquired of the Squamscott River crossing that he believes there is already directional drilling for the other gas line. He commented on the need for a lot of coordination. He also advised that they are going to be moving by a new waste water treatment plant, that is always a concern.

Mr. Dean did not have any comment.

Mr. Clement asked what the next steps were.

Mr. Licata said that they will meet with the Planning Board, notifying property abutters, having survey crews go out, and host an open house. He welcomes the town's input where to host that in order to inform the communities.

Mr. Clement said that he was sure that the abutters would appreciate being informed. The more information we can get out there, makes the project go smoother.

Public Hearing for the TIF Plan Amendment.

Motion: Mr. Chartrand moved to open the Public Hearing for the TIF District Plan Amendment for Epping Road Tax Increment Finance District.

Ms. Surman seconded the motion. Motion passed unanimously.

Mr. Darren Winham came before the board to request that 1.1 million dollars be added to the TIF for a light and road improvements at the intersection of Route 27 and Continental Drive, about 100 feet on Continental Drive from the intersection west to north and south 200 feet. They wouldn't increase the length of the TIF. He explained that they have about five hundred thousand dollars coming in annually, and expect more coming in. As part of this project he requests that the town as part of this project to discontinue anything above the entryway coming in above the Kevin King property.

There were no comments or questions from the board.

Motion: Mr. Chartrand moved to close the Public Hearing on amending the Epping Road Tax Increment Finance District.

Ms. Surman seconded the motion. The motion passed unanimously.

Mr. Clement commented that the voters will have an opportunity to vote on the TIF District Amendment Plan March 13th.

Mr. Dean confirmed that they are articles 5 and 25.

Town Warrant Updates

Mr. Clement commented that Saturday they had their deliberative session on all budgets and warrant articles, the legislative body and the people that were there could walk through them and debate them. If there are any changes/amendments to any articles or items the town has an opportunity to make any changes to the articles that were amended on Saturday.

Mr. Dean: Article 3, The Rec Center Citizens' petition

Mr. Clement: that was cosmetic changes nothing changing money amounts just adding some clarifying language.

Mr. Chartrand offered that article 19 was to clarify the wording of the warrant article specifically taking up pedestrian concerns walkways.

Discussion between board members regarding articles 21 and 22 modifying ballot to reflect 3/5th to reflect sixty percent majority based on review of counsel and DRA.

Mr. Dean offered further discussion, in looking through to the statutes on articles that are amended they make a reference to appropriations and special warrant articles but not citizens' petitions at least those that don't involve money. I couldn't advise you other than to say I recommend not doing any recommendations if you haven't already on a petition article that isn't financial.

Mr. Clement said that they did not make any recommendations on petition articles that did not involve appropriations.

Mr. Chartrand commented that it was not part of the Board's tradition.

Mr. Dean confirmed that two amended articles were non monetary citizen petitions

Mr. Clement suggested if the anyone on the board wants to go back and revote on the recommendations on articles that were amended non citizens petitions articles not having to do with appropriations that were amended, that this was their opportunity. If not then the recommendation that the board brought forth at the deliberative session will appear on the ballot.

Mr. Clement commented that there were 145 deliberative voters at the session.

Regular Business

Tax Water and Sewer Abatements

Motion: Ms. Corson moved to approve veteran credit for map 68 lot 6 unit 838 for \$500.

Ms. Surman seconded the motion. The motion passed unanimously.

Motion: Ms. Corson moved to approve Elderly Exemption for the following properties in the amount of \$152,251:

| Map/Lot | Location |
|-------------|-----------------------|
| 104/79/1011 | 1011 Camelot Dr. |
| 55/13 | 11 Colcord Pond Dr |
| 104/79/1002 | 1002 Camelot Dr |
| 95/64/287 | 47 Hilton Ave |
| 95/64/232 | 2 Peach St |
| 32/12/28 | 28 Beech Hill MH Park |

Mr. Chartrand seconded the motion. It passed unanimously.

Motion: Ms. Corson motioned to approve Elderly Exemption for the following properties in the amount of \$236,251:

| | |
|----------|---------------------|
| 104/79/6 | 6 King Arthur Ct |
| 54/4/125 | 50 Brookside Dr O-5 |
| 73/233 | 9 School St |

Mr. Chartrand seconded the motion. The motion passed unanimously.

Motion: Ms. Corson moved to approve Elderly Exemption for the following properties in the amount of \$183,751.

140/79/137 137 Robinhood Dr

Mr. Chartrand seconded the motion. The motion passed unanimously.

Correspondence

Mr. Clement submitted a letter from Deputy Tax Collector to abate 2007 outstanding taxes in the amount of \$1211.57 plus approved interest in 2017.

The board discussed the lien and the interest that accrued.

Motion: Mr. Chartrand: moved to abate outstanding taxes, plus interest accrued on map 95, lot 64, unit 146, amount \$1211.57 plus accrued interest for 2017.

Ms. Corson seconded the motion. The motion passed unanimously.

Mr. Clement submitted a Water and Sewer abatement request on 7 Allen St for \$870.45 leak on property. Total usage was 111,000 gallons.

The Board discussed the carried over the term of the leak and over how many billing periods were involved. 691.28 abatement amount for sewer only.

Motion: Mr. Chartrand moved to make a motion to abate the sewer usage portion above the average calculated that at 691.28 that will make new bill total 1079.57 at 7 Allen St.

Ms. Gilman seconded the motion.

No further discussion.

3 aye

1 nay

1 abstention

Permits and Approvals

Mr. Clement: Exeter Area Women's Club for a book sale and bake sale, date June 2, 2018 from 8:00 a.m. to 12:00 p.m.

Mr. Chartrand moved to approve the Exeter Area Women's Club book and bake sale, date June 2, 2018 from 8:00 a.m. to 12 p.m.

Ms. Surman seconded the motion. The motion passed unanimously.

Mr. Clement questioned their request to waive the rental fee.

Mr. Dean replied that it is usually in the main motion on the Town Hall permit approvals..

Mr. Chartrand moved to make a second motion to approve the request for a waiver on the rental fee.

Ms. Surman seconded the motion. The motion passed unanimously.

Mr. Clement: Boy Scouts of America, rummage sales June 15 to 16, 2018 at Town Hall.

Motion: Mr. Chartrand moved to approve the rummage sale June 15 to 16, 2018, as is.

Ms. Surman seconded the motion. The motion passed unanimously.

Motion: Mr. Chartrand moved to approve the Small Business Revolution reveal on February 13, 2018 at 7:00 a.m. reveal at Town Hall.

Ms. Surman seconded the motion. The motion passed unanimously.

Motion: Mr. Chartrand moved to approve the Extreme Air of New Hampshire - Jump Rope competition on March 20 and 22, 2018 at Town Hall.

Ms. Gilman seconded the motion. The motion passed unanimously.

Town Manager Report: None. We are continuing to work on the covenants for Vino e Vivo and TIF agreements.

Community Reports

Ms. Gilman: Nothing to report.

Ms. Corson reported on the Planning Board meeting to meet February 8th and the decision on the Exeter Rose Farm Yield Plan. Also mention a development of sixteen units off Linden Street and they will be adopting a new Master Plan.

Ms. Gilman asked how the Master Plan will be disseminated to various land use boards that need to refer to it.

Several members of the board suggested various ways to make available the Master Plan.

Ms. Surman had nothing to report. There is a Swazey Park Trustee Committee meeting coming up on Wednesday.

Mr. Chartrand had nothing to report.

Mr. Clement gave the board an update on EDC meeting. He reminded the board of a Climate Change Open House at Town Hall from 4:30 to 7:30.

Correspondence

Mr. Clement asked Mr. Dean to explain the letter from the State of New Hampshire Department of Revenue Administration dated January 31, 2018. Mr. Dean explained the Review process of their Cyclical Inspections of the Town's assessments.

Mr. Clement submitted a letter thanking the Town of Exeter for their membership with the Exeter Historical Society.

Mr. Clement discussed the Board Calendar and the covenant and agreement they are working on. Mr. Chartrand offered that it should be driven by when the covenant and agreement are ready.

Next meeting: TBD

Mr. Chartrand moved to adjourn meeting at 8:47 p.m. Ms. Surman seconded the motion. The motion passed unanimously.

Respectfully Submitted by,

Kellie Dietz

Committee Appointments

February 19th, 2018

Memorial Day Parade Committee

Jane Kiernan, 3B Woodlawn Circle, no term

Sandy Winter, 3 Vintage Drive, no term

TOWN OF EXETER, NH
COVENANT TO PROTECT PUBLIC BENEFIT
Vino e Vivo, LLC of 163 Water Street, Unit C-1, Exeter, NH
Per RSA 79E (Community Revitalization Tax Relief Incentive)

Vino e Vivo, LLC of 163 Water Street, Unit C-1, Exeter, NH 03833 (the "GRANTOR"), owner of property situated at 163 Water Street, Exeter, NH and further identified as Town Tax map 72, Lot 17-1 (the "PROPERTY"), for itself and for its successors and assigns, and for consideration of tax relief granted to GRANTOR by the Town of Exeter, with a principal address of 10 Front Street, Exeter, County of Rockingham, State of New Hampshire (the "GRANTEE"), pursuant to the provisions of RSA 79-E, agree to the following covenants imposed by the GRANTEE.

These covenants are made in exchange for 7 years of property tax relief (5 years as the GRANTEE has determined the property eligible as a "qualifying structure" per RSA 79-E:2, II and an additional 2 years as the GRANTEE has determined the property is located within and important to a locally designated historic district per RSA 79-E:5, III) granted with respect to the PROPERTY as a result of the substantial rehabilitation ("rehabilitation" or "redevelopment") of the PROPERTY to be accomplished by the GRANTOR in accordance with GRANTOR'S proposed redevelopment. The specific approved scope of work is detailed in the "VINO E VIVO LLC - COMMUNITY REVITALIZATION TAX RELIEF APPLICATION (PER RSA 79-E)" approved by GRANTEE (by vote of the Exeter Board of Selectmen) on January 29, 2018, incorporated herewith and attached hereto (the "proposal" or the "application").

These covenants are to protect the public benefit in accordance with the provisions of RSA 79-E for a term of 7 years beginning on April 1st of the first tax year commencing immediately after the completion of the redevelopment work. Notwithstanding the foregoing, the contemplated tax relief shall be null and void if the proposed redevelopment work is not completed by January 29, 2019.

All applicable provisions of RSA 79-E shall apply to these covenants.

The GRANTEE agrees that the PROPERTY, if substantially rehabilitated (or "redeveloped") in accordance with GRANTOR'S proposal, provides a demonstrated public benefit in accordance with the provisions of RSA 79-E:7 inasmuch as the redevelopment of said PROPERTY:

- 1) Enhances the economic vitality of downtown Exeter (RSA 79-E:7, I); and

- 2) Enhances and improves a structure that is culturally or historically important on a local, regional, state, or national level, either independently or within the context of an historic district, town center, or village center in which the building is located (RSA 79-E:7, II); and
- 3) Promotes the preservation and reuse of existing building stock throughout Exeter by the rehabilitation of historic structures, thereby conserving the embodied energy in accordance with energy efficiency guidelines established by the U.S. Secretary of the Interior's Standards for Rehabilitation (RSA 79-E:7, II-a); and
- 4) Promotes development of Exeter's municipal center, providing for efficiency, safety and a greater sense of community consistent with RSA 9-B (RSA 79-E:7, III).

These covenants, which are hereby granted by the GRANTOR to the GRANTEE with respect to the above described PROPERTY, and which shall commence simultaneously with the period of tax relief but shall continue for the duration of the 7-year tax relief period, are as follows:

GRANTOR'S COVENANTS:

REDEVELOPMENT OF PROPERTY. The GRANTOR agrees to redevelop the PROPERTY during the term described herein in accordance with GRANTOR'S proposal. The redevelopment contemplated by GRANTOR'S proposal shall be completed by the GRANTOR on or before January 29, 2019. All of the work detailed in GRANTOR'S proposal, to include any amendments approved by the Town thereto, must be completed in order for the tax relief to take effect. If only some of the work contemplated by GRANTOR'S proposal is completed prior to January 29, 2019, then the PROPERTY shall be fully assessed for the value of that work.

MAINTENANCE AND USE OF THE PROPERTY. The GRANTOR agrees to maintain, use and keep the PROPERTY in a condition that furthers the public benefits for which the tax relief was granted and accepted during the term of the tax relief under RSA 79-E:8. The GRANTOR agrees to continue to use the PROPERTY as described in the attached proposal. The use of the PROPERTY shall not be converted to a different use inconsistent with the description in the attached proposal without the written authorization of the Town.

REQUIRED INSURANCE, USE OF INSURANCE PROCEEDS, AND TIMEFRAME TO REPLACE OR REMOVE DAMAGED PROPERTY. The GRANTOR agrees and is required to obtain and maintain casualty insurance. The GRANTEE requires a lien against proceeds for any insurance claims to ensure proper restoration or demolition of any damaged structures and property. The GRANTEE further requires that the restoration or demolition commence within one year following any insurance claim incident; otherwise the GRANTOR shall be subject to the termination provisions set forth in RSA 79-E:9, I.

RECORDING. The GRANTEE shall record this covenant with the Rockingham County Registry of Deeds upon its execution. It shall be a burden upon the PROPERTY and bind all transferees and assignees of such PROPERTY. The GRANTOR will be solely responsible for payment of the recording fees.

ASSESSMENT OF THE PROPERTY. The GRANTEE agrees that the PROPERTY shall be assessed, during the term of the tax relief granted based on the pre-rehabilitation (or redevelopment) value or such other value utilized by the Assessor to address improvements not covered by RSA 79-E. If the terms of these covenants are not met, this property tax relief may be reduced or terminated by the GRANTEE after the procedure outlined in 79-E:9, I. In such case, the GRANTEE reserves the right to assess all property taxes on the PROPERTY to the GRANTOR, or its successors or assigns, as though no tax relief was granted, with interest in accordance with RSA 79-E:9, I and II. Provided that the GRANTOR complies with all the terms of these covenants, the property tax relief will commence upon the completion of the substantial rehabilitation, but in any event no later than January 29, 2019, and will end seven years from the commencement date.

RELEASE, EXPIRATION, CONSIDERATION.

- I. **RELEASE.** The GRANTOR may apply to the local governing body of the Town of Exeter for a release from the foregoing discretionary tax relief and associated covenant within the duration of the tax relief period of the RSA 79-E upon a demonstration of extreme personal hardship. Upon release from such covenants, the GRANTOR shall thereafter pay the full value assessment of the PROPERTY to the Tax Collector of the Town of Exeter.
- II. **EXPIRATION.** Upon final expiration of the terms of the tax relief the tax assessment will convert to the then full fair market value. Upon final expiration of the terms of this covenant, these covenants will be concluded.
- III. **CONSIDERATION.** The Tax Collector shall issue a summary receipt to the owner of the PROPERTY, with a copy to the governing body of the Town of Exeter, of the sums of tax relief accorded during the term of the tax relief described herein. The local governing body shall, upon receiving a copy of the above-mentioned consideration and upon the expiration of this covenant execute a release of the covenant to the GRANTOR and shall record such a release with the Rockingham County Registry of Deeds. A copy of such release or renewal shall also be sent to the local assessing official.
- IV. **MAINTENANCE OF PROPERTY.** If, during the term of these covenants, the GRANTOR shall fail to maintain and use the PROPERTY in conformity herewith or shall cause the PROPERTY to significantly deteriorate or be demolished or removed, the GRANTEE reserves the right to terminate the tax relief which is the subject of these covenants and may assess to the GRANTOR, its successors or assigns, all taxes as though no tax relief was granted, with interest, per RSA 79-E:9.

ENFORCEMENT. If a breach of this covenant is brought to the attention of the GRANTEE, the GRANTEE shall notify the GRANTOR in writing of such breach, which notice shall articulate the nature of the breach and provide specific instructions regarding the required

corrective action. GRANTEE'S notice shall be delivered in hand or by certified mail, return receipt requested to the GRANTOR. The GRANTOR shall have a reasonable amount of time, but in no case less than 30 days after receipt of such notice, to undertake the required corrective actions, including restorations, which are reasonably calculated to cure the said breach and to notify the GRANTEE thereof.

If the GRANTOR fails to take such corrective action, the GRANTEE may undertake any actions that are reasonably necessary to cure such breach, and the cost thereof, including GRANTEE'S expenses, court costs and legal fees, shall be paid by the GRANTOR, provided the said GRANTOR is determined to be directly or indirectly responsible for the breach.

The GRANTOR, by accepting and recording these covenants to the GRANTEE agrees to be bound by and to observe and enforce the provisions hereof and assumes the rights and responsibilities herein provided for and incumbent upon the GRANTOR, all in furtherance of the purposes for which this tax relief and associated covenant is delivered.

WITNESS MY/OUR/ITS HAND this 15th day of February, 2018

Eileen M. Jewett

Witness

GRANTOR: VINO e VIVO LLC

[Signature]

By: Anthony Callendrello, Manager

STATE OF NEW HAMPSHIRE

COUNTY OF ROCKINGHAM

On this 15th day of February, 2018 personally appeared the above

Anthony Callendrello, Manager of VINO e VIVO LLC, known to me, or satisfactorily proven, to be the same, and acknowledged that he/she/they executed the same for the purposes contained therein.

Cynthia A. Calder

Notary Public Notary Public/Justice of the Peace

My commission expires: 10/26/21

ACCEPTED this ____ day of _____, 201 by the Town of Exeter

TOWN OF EXETER

10 Front Street

Exeter, NH 03833

By: _____

Don Clement

Chairman, Exeter Board of Selectmen

By: _____

Dan Chartrand

By: _____

Kathy Corson

By: _____

Julie Gilman

By: _____

Anne Surman



Town of Exeter, New Hampshire
Community Revitalization Tax Relief Incentive

Instructions to the Applicant:

The following documents contain everything you need to complete your application for tax relief to revitalize your building. Please read everything carefully. The application materials are based upon the requirements set forth by NH RSA 79-E. You will need to fill out the application, take part in a public hearing with the Board of Selectmen, and execute a covenant with the Town. If you have any questions with the application, the process, or what to expect, please call Darren Winham, Economic Development Director, at 603-773-6122 or email dwinham@exeternh.gov.

The Town of Exeter appreciates your interest in the Community Revitalization Tax Relief Incentive, and wishes you the best of luck with your application and restoration project.



Town of Exeter

Community Revitalization Tax Relief Incentive (RSA 79-E)

Application Form

Office Use Only
(do not write in shaded areas)

Date Application Submitted: _____

Received by: _____

Building Information

Building Name (if any): Merrill Block

Building Address: 163 Water Street, Unit C-1

Eligible Zoning District C-1 Central/Downtown Tax Map 72 Lot 17-1

Contact throughout this application process will be made through the applicant listed below. The property owner may designate an agent as the coordinator for the project. This person (the applicant) shall attend public hearings, will receive comments, recommendation, staff reports, and will communicate all case information to the other parties as required.

The Property Owner may act as the Applicant. If so, list under Applicant's Name, "Owner", and complete owner's information as requested.

Applicant's Name Owner

Owner's Name Vino e Vivo, LLC

Address: _____

Address: 28 Park Street

City/Town: _____ State: _____ Zip: _____

City/Town: Exeter State: NH Zip: 03833

Phone _____ Fax: _____

Phone (603) 512-9174 Fax: _____

E-mail: _____

E-mail: acallendrello@vinoevivo.com

Existing Building Information:

Existing Uses (describe current use, size, and number of employees):

Until November 2017, condominium was as a retail clothing consignment shop with single owner/proprietor.

Gross Square Footage of Building: 840 Year Building was Built: 1873

Is the building listed on or eligible for listing on the National Register of Historic Places? ☒ Yes ☐ No

Is the building listed on or eligible for listing on the state register of historic places? ☒ Yes ☐ No

Is the building located within and important to locally designated historic district? ☒ Yes ☐ No

Part of Exeter
Waterfront Commercial
Historic District

Project Description

Proposed Uses (describe use, size, and number of employees): Propose to convert the space into a 24 seat
wine bar/restaurant. Approximately 600 square feet will be used for patrons and 240 square feet for kitchen/storage.
It is anticipated that the business will have between 4 and 6 employees

Is this a change of use associated with this Project? ☒ Yes ☐ No

Will the project include new residential units? ☐ Yes ☒ No
If yes, please describe:

Will the project include affordable residential units? ☐ Yes ☒ No
If yes, please describe:

Has an abatement application been filed or has abatement been awarded on this property within the past year?
☐ Yes ☒ No

Will any state or federal grants be used with this project? ☐ Yes ☒ No
If yes, describe and detail any terms of repayment:

Replacement of Qualifying Structure

Does the project involve the replacement of a qualifying structure? ☐ Yes ☒ No
If yes, the owner shall submit with this application the following:

1. A New Hampshire division of historical resources individual resource inventory form, prepared by a qualified architectural historian.
2. A letter from the Exeter Historic District Commission that identifies any and all historical, cultural, and architectural value of the structure or structures that are property on which those structures are located.

Note: The application for tax relief shall not be deemed to be complete and the governing body shall not schedule the public hearing on the application for replacement of a qualifying structures as required under RSA 79-E:4, II until the inventory form and letter, as well as all other required information, have been submitted, if required.

Does the project provide the following public benefits?

| | Yes | No |
|--|-------------------------------------|--------------------------|
| Enhances the economic vitality of the designated area. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

buildings.

Enhances and improves a culturally or historically important structure X Yes No

consistent with RSA 9-B? X Yes No

The use of the space as a wine bar/restaurant will provide a location for downtown and other residents and visitors to gather.

If yes, Please describe: _____

If yes, please describe:

Substantial Rehabilitation

Describe the work to be done and estimated costs.

1. Attach additional sheets if necessary and any written construction estimates.
2. Attach any project narratives, plot plans, building plans, sketches, rendering, or photographs that will help explain this application.

Structural: Removal of framing, cabinets and drywall to uncover stone and brick foundation walls.Replace/refresh wall and ceiling finishes.Refinish waxed flooring.Replace interior stairway.

Estimated Cost: 10,000

Electrical: Increase electrical service from 100 to 200 amps.Install energy efficient lighting.

Estimated Cost: 30,000

Plumbing/Heating: Replace existing 1980s vintage furnace and non-functioning air conditioning with modern high efficiency units.Replace hot water heater with high efficiency unit.Remove and replace existing bathroom.Installation of kitchen and bar sinks.

Estimated Cost: 52,500

Mechanical: Installation of bar and kitchen equipment.

Estimated Cost: 12,000

Other:

Estimated Cost:

Total Estimated Project Cost: \$ 104,500**Expected Project Start Date:** 2/1/2017**Expected Project Completion Date:** 5/1/2017

Applicant/Owner Signature

To qualify for this tax relief incentive, the cost the project must be at least 15% of the pre-rehabilitation assessed value or \$75,000, whichever is less.

I/we certify the estimated costs are reasonable and the costs of the project meet the above requirement.

Initial here: [Signature] _____

I/We understand that failure to meet this threshold or the listing unreasonable construction costs will result in the denial of the application and forfeiture of the application fee.

Initial here: [Signature] _____

I/We have read and understand the Community Revitalization Tax Relief Incentive, RSA 79-E, and am/are aware that this will be a public process including public hearing to be held to discuss the merits of this application and the subsequent need to enter into a covenant with the Town and pay all reasonable expenses associated with the drafting/recording of the covenant.

Initial here: [Signature] _____

The undersigned hereby certifies the foregoing information is true and correct;

[Signature] Anthony Calandrese 12/27/2017
Signature (printed name) Date

Signature (printed name) Date

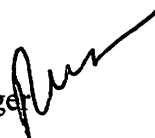
Signature (printed name) Date

Signature (printed name) Date

Signature (printed name) Date

**TOWN OF EXETER
MEMORANDUM**

TO: Board of Selectmen

FROM: Russ Dean, Town Manager 

RE: Epping Road TIF Improvements Update

DATE: February 19th, 2018

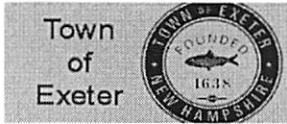
After several discussions regarding the proposed work to be done on the Epping Road TIF, we are revising the recommended approach as follows:

1. The town will take on the Epping Road water/sewer improvements, including the water/sewer improvements as outlined in the January 29th Selectboard meeting. The town would utilize TIF bond proceeds to fund this as any typical town capital project.
2. The developer (CKT) will be responsible for the TIF road (aka Willey Creek Road) and utility improvements, utilizing TIF funds and under the reimbursement system originally proposed.

The rationale for this approach is threefold. After conversations with key town staff, it became apparent that certain aspects of the Epping Road work will require town oversight and management of construction and traffic control. In addition, these improvements are in the public right of way as opposed to private property. Also, by executing the work, the town will be able to ensure certain aspects are complete such as sewer lateral installations.

Under this scenario, the town would utilize an existing contracted engineering firm directly for the portion of the improvements to be done on Epping Road, and administer the project through the DPW. This strategy has been discussed with the developer and all are on board with this approach providing deadlines are kept.

If the Board supports this approach, we will modify the developer agreement to only include the "TIF Road" under the developer constructed-reimbursement scenario. The remainder of the improvements will come back to the town as a town project and be stricken from the agreement. The town has worked with the developer to confirm this approach.



Russ Dean <rdean@exeternh.gov>

Swasey Parkway update

Matt Berube <mberube@exeternh.gov>
To: Russ Dean <rdean@exeternh.gov>
Cc: Jennifer Perry <jperry@exeternh.gov>

Fri, Feb 16, 2018 at 11:57 AM

Hi Russ,

Update on Contract 3:

Parkway Site:

- The 12 week shutdown ends March 28, 2018; 4,000 linear feet of HDPE pipe has been installed to date (2,000 * 2 pipes= 4,000 feet); installation is going well and on schedule, maybe even a few days ahead of schedule
- Scheduled 2-week shutdown for spring cleanup of the parkway starts May 7th-18th: loam and seed the pipe installation trench

Main Pump Station Site:

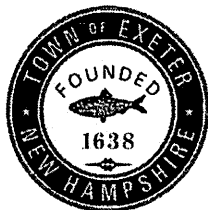
- Excavation has begun to start hooking up by-pass pumping for the station flow next week (week of Feb 19th)
 - Insertion valve has been installed to connect the new forcemains once they reach the Main Pump Station
- As long as the by-pass pumping is working and having no problems, demolition of Main Pump Station will begin in 2 weeks by removing the roof (week of March 5th).

That is what I have for an update right now. Let me know if you have any questions.

Thanks,
Matt

Matthew Berube
Acting Water & Sewer Managing Engineer
Department of Public Works
13 Newfields Road
Exeter, NH 03833
P) (603) 773-6157 ext. 167
F) (603) 772-1355

Notice the email change: mberube@exeternh.gov
Like us on Facebook!



Memo

Date: November 9, 2017

To: Board of Selectmen

From: Matt Berube, Interim Water Sewer Managing Engineer

Re: Swasey Parkway Project Schedule

The Main Sewer Pump Station Upgrade and Force Main Project, Contract #3, will begin excavation the Week of the November 13th. This project has tentative timeline of 13 months. This project has two portions, the demolition and rebuild of the Main Sewer Pump Station, and the installation of 2 16" HDPE Force mains from the Main Pump Station to the end of Swasey Parkway on Newfields Rd. The one way traffic pattern will be for the duration of Contract #3 starting the week of Nov. 13th, to allow access to the construction site behind 277 Water Street through Swasey Parkway. The closure traffic pattern will be during a 12 week period starting after Dec. 4th to install the force mains and return to one way traffic in spring 2018. Then in spring 2018, the one way traffic pattern will return. The contractor will be mobilizing more equipment, construction trailers, and more supplies to the construction site starting next week. Construction fencing and silt fencing has been installed in anticipation of construction beginning.

Below is a small list of the construction activities:

1. Construction of:
 - a. Gravity sewer modifications to the south of the Main Pump Station building, including temporary pumping;
 - b. Two 16-inch DI forcemains with bypass connections from station 1+00 to station 1+40, as well as cross-connection to the existing 16-inch CI forcemain;
 - c. Two 16-inch HDPE forcemains from station 1+40 to station 20+00;
 - d. Two forcemain drain manholes;
 - e. Main Pump Station Building, including installation of dry-pit submersible pumps, channel grinder and influent channel);
 - f. Piping, valves, gates, site work, equipment systems, structures, heating and ventilation systems, plumbing systems, as indicated on the Drawings;
 - g. New instrumentation, control and SCADA system;
 - h. New electrical supply and distribution including standby generator and automatic transfer switch;
 - i. New fire alarm system;
 - j. Other appurtenances as shown on the Drawings and specified herein.
2. Tree and Shrub Removals and Relocations:
 - a. Removal of trees and shrubs along Swasey Parkway, where shown on the Drawings;
 - b. Relocate trees and shrubs per Swasey Parkway Trustees, where shown on the Drawings.

3. Demolition of:
- a. Main Pump Station Building down to the foundation walls (vertical, close-coupled sewage pumps, in-line channel grinders);
 - b. Emergency Generator and Enclosure;
 - c. Utility Pole with mounted Transformer;
 - d. Piping valves, gates, site work, equipment systems, structures, instrumentation, control and electrical systems, heating and ventilation systems, plumbing systems, as indicated on the Drawings.
 - e. Other appurtenances as shown on the Drawings and specified herein.

Let me know if you need any more information.

DOCUMENTATION OF UNDERSTANDING BETWEEN TOWN OF EXETER AND SWASEY PARKWAY TRUSTEES

Rev 21 June 2017

Preamble:

The Town of Exeter is under both an Administrative Order on Consent to complete a Wastewater Treatment Facility (WWTF) Upgrade and an Administrative Order to reduce or eliminate combined sewer overflows ("CSOs"). The Town has completed a Wastewater Facilities Plan (March 2015), has received bids for the WWTF Upgrade ("Contract No. 1") and is nearing completion of the design for the Main Pump Station Upgrade ("Contract No. 3") and the Forcemain Upgrade ("Contract No. 2"). The existing Main Pump Station was constructed in 1964 and is located between Water Street and the Swasey Parkway on a parcel with no road frontage. The existing forcemain to the WWTF was also constructed in 1964 and runs through the Swasey Parkway (under the road). The proposed project will upgrade the Main Pump Station and the forcemain which will require work to be completed within the Swasey Parkway. The Exeter Public Works Department ("PWD") and the Swasey Parkway Trustees ("SPT") have met on numerous occasions to discuss this project between March 2016 and April 2017. The SPT understands the need for these projects and supports the environmental benefits that will occur upon their completion. The SPT also understands its responsibility to protect the Parkway. The purpose of this document is to memorialize the discussions and understandings held to date.

Goals:

- To minimize the disruption to the use of the Parkway during these projects.
- To minimize damage to trees and shrubs during these projects.
- To minimize damage to the recently installed pavement and granite curbing in the Parkway.

Understandings:

1. The Trustees have an extensive calendar of events for 2017 (see attached). The Trustees expect to have a similar calendar of events for 2018 and 2019.
2. The temporary construction entrances to the Main Pump Station and Exeter Housing Authority parcels are required because Exeter Housing Authority is not allowing construction access through their driveways. Tentative timeline is 13 months from September 2017 to October 2018. This is the approximate duration of Contract No. 3.
3. "Pre-Construction activity" in the Parkway between September 2017 and October 16, 2017 will be related to Contract No. 3 only (specifically including initial mobilization, limited tree removal in the vicinity of the Main Pump Station and Exeter Housing Authority parcels, installation of temporary access drives, and installation of temporary construction fencing). The Contractor may install the north temporary access drive perpendicular to the curb line or at a 45 degree angle from the curb line.

**DOCUMENTATION OF UNDERSTANDING BETWEEN TOWN OF EXETER AND SWASEY
PARKWAY TRUSTEES**

Rev 21 June 2017

During this time, the traffic pattern will remain two-way traffic. Pre-construction activities will require periodic (e.g., weekly) and short duration (e.g., hours or days) road closures. Road closures will be coordinated in advance with the PWD, SPT and Exeter Police Department and will be posted on electronic message boards located at each end of the Parkway. No road closures will be requested on Thursdays. No Contractor parking is allowed in front of the Pump Station on Thursdays from 12pm to 5pm during the Farmer's Market season.

4. The Parkway traffic pattern will be changed to one-way (northbound) to provide for contractor access to the work zones, construction efficiency and public safety. Tentative timeline is 12 months from October 2017 to October 2018. Construction activities will require periodic (e.g., weekly) and short duration (e.g., hours or days) road closures. These road closures will be coordinated in advance with the PWD, SPT and Exeter Police Department and will be posted on electronic message boards located at each end of the Parkway. No road closures will be requested on Thursdays. No Contractor parking is allowed in front of the Pump Station on Thursdays from 12pm to 5pm during the Farmer's Market season. It is understood that decision making with respect to road closures rests solely with the Exeter Selectboard and/or their designee.
5. The Parkway will be shut-down to non-construction vehicular traffic for up to 12 weeks between October 16, 2017 and April 15, 2018 for pipeline installation. When the Parkway is not shut-down, the Contractor shall demobilize all equipment, trailers, etc. and shall clean-up to the satisfaction of PWD and SPT. When the Parkway is not shut-down, the traffic pattern shall be one-way (northbound), as noted above. Contractor shall temporarily re-open the Parkway around scheduled Fall and Holiday events for 2017.
6. The Parkway will be shut-down to non-construction vehicular traffic for up to 2 additional weeks between April 15, 2018 and May 15, 2018 to complete site restoration for the Forcemains. When the Parkway is not shut-down, the Contractor shall demobilize all equipment, trailers, etc. and shall clean-up to the satisfaction of PWD and SPT. When the Parkway is not shut-down, the traffic pattern shall be one-way (northbound), as noted above.
7. There will be no change to the pedestrian access to the Parkway during the projects, other than in the vicinity of the work zones.
8. Weekly coordination meetings will occur during Contract No. 3. These will be attended by PWD, SPT, Engineer and Contractor. The purpose of the meetings will be to coordinate construction work activities and Parkway activities.
9. Contractor shall have no more than 100 linear feet of main line trench open at any time.

DOCUMENTATION OF UNDERSTANDING BETWEEN TOWN OF EXETER AND SWASEY PARKWAY TRUSTEES

Rev 21 June 2017

10. Contractor shall not maintain stockpiles of soils or aggregates larger than 50 CY in any given location. Contractor shall maintain all other materials (e.g., piping, fittings, etc.) within 100 feet of the work zone.
11. All vehicles which utilize Swasey Parkway shall be rubber tired vehicles. No tracked vehicles shall be allowed on the Swasey Parkway. No damage to the existing pavement or granite curbing is expected on the Swasey Parkway. Repairs, if determined to be needed by the PWD and SPT, shall be made, to the satisfaction of the PWD and SPT, at the Contractor's expense.
12. Certain shrubs will be disturbed by this project. Shrubs impacted by the work shall be temporarily removed, protected and replanted within two calendar days and subsequently watered and fertilized. This work will be performed by the Project Shrub Arborist [tentatively, Piscataqua Landscaping (Dwane Staples)].
13. Special excavation requirements, including root pruning and/or canopy pruning, will apply when the work is within the canopy of a tree in Swasey Parkway. This root pruning and/or canopy pruning work will be performed by the Project Tree Arborist [tentatively, Valley Tree Service (Chris Bosch)].
14. Based on past experiences with construction projects in the Parkway damaging trees, the SPT are concerned that construction dewatering activities may encounter brackish groundwater in portions of the work. If groundwater is brackish, it shall be treated and disposed of in a manner that will not damage existing and undisturbed grass, bushes and trees.
15. For the Main Pump Station portion of Contract No. 3, temporary chain link fence (6-foot high) will be installed around the work zones. Gates shall be provided at appropriate locations as agreed upon by the PWD, SPT, Contractor and Engineer. Temporary construction entrances (gravel) will be constructed to access the Main Pump Station site. For the Force Main portion of Contract No. 3, temporary "orange" construction fence and silt fence will be installed around the work zones. Upon completion of the project, the temporary fences, silt fence, gates and access drives will be removed and the area will be restored to existing conditions.
16. Except as noted above, Contractor parking for construction-related vehicles shall be in close proximity to the respective work zones and shall be in the west travel lane (closed). These construction-related parking areas will be posted/ signed by the PWD.
17. Contractor shall restore all finish grades to match existing grades.
18. Contractor shall repair and test the irrigation system near the gazebo, if damage is incurred.
19. Contractor shall provide a minimum of 12-inches of loam/topsoil in all trenches. If more loam exists, Contractor shall match existing conditions. Loam/topsoil shall be screened to less than 1-inch nominal size.

**DOCUMENTATION OF UNDERSTANDING BETWEEN TOWN OF EXETER AND SWASEY
PARKWAY TRUSTEES**

Rev 21 June 2017

20. Contractor shall hydroseed all disturbed areas with a seed mix specified by the SPT.
21. Trees or shrubs that are damaged during construction will be replaced by plantings consistent with the Parkway drawings at the direction of the PWD and SPT. The Bidding Documents will require that the Contractor provide the PWD with \$25,000 to be put in an escrow account by the Town for 3 years. The purpose of the escrow account is to provide funds to replace trees, shrubs and lawn areas which are damaged by construction. Any unused escrow funds will be returned to the Contractor at the end of the escrow period. It is understood that this value is not intended to cover the replacement cost of all trees, shrubs and lawn items in the Parkway along the alignment, but rather to provide a substantial incentive to protect the existing flora in the Parkway in accordance with the Bidding Documents. . Any proposed use of the \$25,000 escrow account will be jointly agreed upon by the Exeter Selectboard and the Swasey Parkway Trustees after mutual discussion and agreement.
22. Plantings and granite wall work at Norris Brook will be restored to current conditions.
23. Ribbons were placed on certain trees and shrubs will remain (green) and which will tentatively be removed (red). These ribbons were placed on March 5, 2017 by SPT (Mark Damsell) for discussion by all parties. GPS coordinates of these ribbons were collected on April 7, 2017 by PWD/WP. These trees and shrubs are indicated on the plans. SPT intends to revisit the red ribbon trees in May 2017 in order to confirm the approach.
24. DPW will provide a small, permanent turn-around area in the vicinity of the SPT block shed, as shown on the Drawings, based on availability of project funds.
25. Contractor shall utilize the SPT sprinkler contractor to repair and test any damaged portions of the sprinkler system.
26. Contractor shall submit a comprehensive set of pre-construction photographs or videos in order to document existing conditions prior to construction.
27. It is understood that the Board of Selectmen retain the right to authorize additional road closures beyond those anticipated or described herein and to work with the SPT to reschedule events in the Parkway, if needed, in order to complete the work by October 2018 and to meet the schedule requirements of the Administrative Order on Consent.
28. The Board of Selectmen and Swasey Trustees shall meet on or about August, 2018 to discuss project progress and any items of interest to either party contained in this memorandum.
29. No additional events other than those attached to this memorandum shall be authorized, unless it is agreed upon by both parties that said events will not cause a disruption to the project schedule and road closure plan described herein.

**DOCUMENTATION OF UNDERSTANDING BETWEEN TOWN OF EXETER AND SWASEY
PARKWAY TRUSTEES**

Rev 21 June 2017

AGREED TO ON THIS DAY: June 23, 2017

Jennifer Perry, PE, Director of Public Works

Jennifer R. Perry

Mark Damsell, Swasey Parkway Trustee

Mark W. Damsell 6/26/2017

Gerry Hamel, Swasey Parkway Trustee

Gerry Hamel

Florence Ruffner, Swasey Parkway Trustee

Florence Ruffner 6/23/17

ACCEPTED:

Duly Authorized Representative

Orville H. Clelland

On behalf of the Board of Selectmen based on vote taken on JUNE 26, 2017

WP Road 3/28/2017

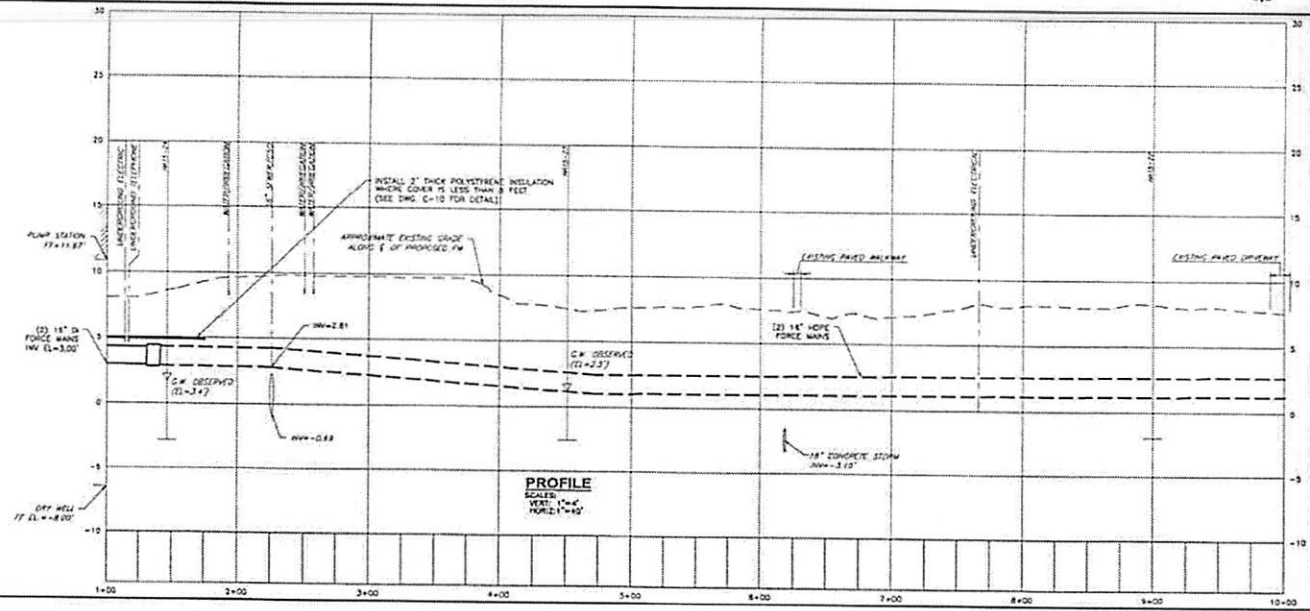
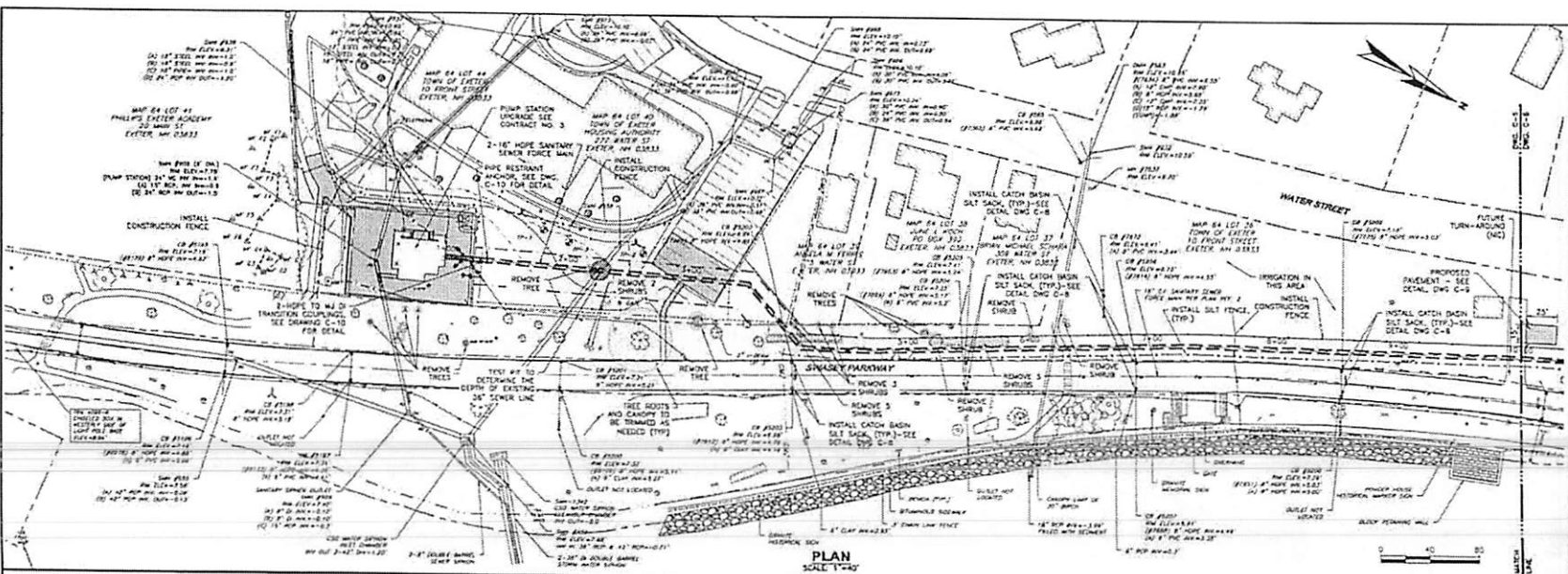
Swasey Parkway
2017

Planned events for 2017

| | |
|---------------|--|
| April 17 | Easter Egg Hunt |
| April 22 | Swag on Swasey |
| May 4-Oct. 12 | Farmers market |
| May 6 | Kids Day |
| May 20 | Team Art and Music Festival |
| May 27 | Swag on Swasey |
| May 29 | Memorial Day Parade ceremony |
| June 15 | Concert |
| June 20 | Exeter Criterium booths (possible) |
| June 22 | Concert |
| June 22 - 25 | Exeter Summer Fest / Chamber of Commerce |
| June 17 | Swag on Swasey |
| June 29 | Concert |
| July 6 | Concert |
| July 15 | Concert |
| July 14 - 15 | Independence Festival |
| July 15 | Fireworks and Concert |
| July 20 | Concert |
| July 22 | Swag on Swasey |
| July 27 | Concert and Movie |
| August 3 | Movie Night |
| August 10 | Movie Night |
| August 17 | Movie Night |
| August 19 | Swag on Swasey |
| August 24 | Movie Night |
| August 31 | Movie Night |
| Sept. 16 | Swag on Swasey |
| Oct. 7 | Powder Keg Festival |
| Oct. 14 | Swag on Swasey |
| Oct. 15 | Crop Walk |
| Oct. 27 | Halloween Parade |
| Dec. 1, 2, 3 | Ring in the Season |
| | Tree lighting and luminaries |
| | Parade and bon fire |
| | Pooch Parade |

(TH) every week, no traffic TH pm 1-5 pm

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| | |
|--------------------------------|----------------|
| DATE: 8/17/2017 | TIME: 10:12 AM |
| PROJECT: EXETER, NEW HAMPSHIRE | CONTRACT NO. 3 |
| MAIN PUMP STATION UPGRADES | |
| DRAWING C-5 | |

WRIGHT-PIERCE
 Engineering a Better Environment
 888.621.8156 | www.wright-pierce.com

EXETER, NEW HAMPSHIRE
 CONTRACT NO. 3
 MAIN PUMP STATION UPGRADES
 PLAN AND PROFILE: STA 1+00 TO STA 10+00

1. FINGER AND HEEL APPARATUS USED DURING AND POSTDURING EXERCISE OF THE
 2. ~~HEEL~~

2. SOLUBLE AFFILIATE THROUGH AND WITHIN AND PROVIDE ACD TYPING AND EXPOSURE.
3. COORDINATE TYPING, EXPOSURE, FILM WITH THE OTHER, DIRECTOR AND STUDY MATERIALS.

1. actual versus no competing contours of red pond of peop

- [illegible]

1. ACTUAL OFFENSE AND PROBATION CONTINUING AT CURRENT END OF RECORD

- [illegible]

1. Construction shall begin on or about 44 days after award of contract and shall be completed on or about 180 days after award of contract.

[illegible]

TOWN OF EXETER MEMORANDUM

TO: Select Board

FROM: Scott P. Marsh, CNHA
Municipal Resources, Inc.
Contract Assessor

DATE: February 16, 2018

RE: Notice of Intent to Cut Wood or Timber Application
183 Epping Road
Tax Map 47 Lot 8

An intent to cut wood or timber was submitted for processing. We have verified that taxes are current and the form appears to be complete. It is recommended that the application be approved and attached form be signed

If there are any questions on this or any other matter, please let me know.

FORM

PA-7

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
NOTICE OF INTENT TO CUT WOOD OR TIMBER

(Assigned by Municipality)

YR

TOWN

OP#

17 - - - T

For Tax Year April 1, 17 to March 31, 18

PLEASE TYPE OR PRINT (If filling in form on-line; use TAB Key to move through fields)

1. Town/City of: EXETER

2. Tax Map/Block/Lot or USFS Sale Name & Unit No.

MAP 47 LOT 83. Intent Type: Original ☒ Supplemental ☐ (Original Intent Number)4. Name of Access Road: EPHING ROAD / RT 275a. Acreage of Lot: 22.04 Acreage of Cut: 5.45b. Anticipated Start Date: 2/21/20186. Type of ownership (check only one):a. Owner of Land and Stumpage (Joint Tenants) ☐b. Owner of Land and Stumpage (Tenants in Common) ☐c. Previous owner retaining deeded timber rights ☐d. Owner/Purchaser of stumpage & timber rights on public lands (Fed., State, municipal, etc.) or Utility Easements ☐

REPORT OF CUT / CERTIFICATE TO BE SENT TO:

OWNER ☒ OR LOGGER / FORESTER ☐BY MAIL ☐ OR E-MAIL ☐

7. I/We hereby accept responsibility for reporting all timber cut within 60 days after the completion of the operation or by May 15, whichever comes first. I/We also assume responsibility for any yield tax which may be assessed. (If a corporation, an officer must sign.)

Timber Tax Information is Available at www.revenue.nh.gov
Questions? Call (603) 230-5950

SIGNATURE (In Ink) OF OWNER(S) OR CORPORATE OFFICER(S)

DATE SIGNED

PRINT CLEARLY OR TYPE NAME OF OWNER(S) OR CORPORATE OFFICER(S)

SIGNATURE (In Ink) OF OWNER(S) OR CORPORATE OFFICER(S)

DATE SIGNED

PRINT CLEARLY OR TYPE NAME OF OWNER(S) OR CORPORATE OFFICER(S)

MAILING ADDRESS

CITY OR TOWN

STATE

ZIP CODE

E-MAIL ADDRESS

HOME PHONE (Enter number without dashes)

CELL PHONE (Enter number without dashes)

8. Description of Wood or Timber To Be Cut

| Species | Estimated Amount To Be Cut | |
|-----------------------|----------------------------|-------|
| White Pine | 4.85 | MBF |
| Hemlock | | MBF |
| Red Pine | | MBF |
| Spruce & Fir | | MBF |
| Hard Maple | | MBF |
| White Birch | | MBF |
| Yellow Birch | | MBF |
| Oak | | MBF |
| Ash | | MBF |
| Beech & Soft Maple | | MBF |
| Pallet or Tie Logs | | MBF |
| Other (Specify) | | MBF |
| Pulpwood | Tons | Cords |
| Spruce & Fir | | |
| Hardwood & Aspen | | |
| Pine | | |
| Hemlock | | |
| Whole Tree Chips | 250 | |
| Miscellaneous | | |
| High Grade Spruce/Fir | | Tons |
| Cordwood & Fuelwood | | Cords |

9. Species and Amount of Wood or Timber For Personal Use or Exempt. See exemptions on back of form.

| Species | Amount |
|---------|--------|
|---------|--------|

10. By signing below, the Logger/Forester or person responsible for cutting hereby accepts responsibility for verifying the volumes of wood and timber to be reported by the owner. I have become familiar with RSA 227-J, the timber harvest laws.

SIGNATURE (In Ink) OF PERSON RESPONSIBLE FOR CUT

DATE

JOHN BROWN AND SONS INC.

PRINT CLEARLY OR TYPE NAME OF PERSON RESPONSIBLE FOR CUT

14 B&B LANE

MAILING ADDRESS

WEARE

CITY OR TOWN

NH

STATE

03281

ZIP CODE

(603) 529-7974

PHONE NUMBER

pete@brownbronto.com

E-MAIL ADDRESS

FOR MUNICIPAL ASSESSING OFFICIALS ONLY

The Selectmen/Municipal Assessing Officials hereby certify that:

1. All owners of record have signed the Intent;
2. The land is not under the Current Use Unproductive category;
3. The form is complete and accurate; and

4. Any timber tax bond required has been received.

\$ Date:

5. The tax collector will be notified within 30 days of receipt pursuant to RSA 79:10.

6. This form to be forwarded to DRA within 30 days.

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL DATE

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL DATE

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL DATE

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL DATE

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL DATE

PA-7
Rev 04/2014

FORM
PA-7
Instructions

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
NOTICE OF INTENT TO CUT WOOD OR TIMBER
RSA 79:10
GENERAL INSTRUCTIONS

| | |
|---------------------------------|---|
| WHO MUST FILE | The owner shall complete Form PA-7, Notice of Intent to Cut Wood or Timber (Intent), and shall file the form with the municipality (town, city, or unincorporated place) where the property to be cut is located. |
| WHEN TO FILE | The Intent shall be filed with the municipal assessing officials at the beginning of each tax year or prior to commencing each cutting operation. Cutting cannot take place until the Intent is signed by the municipal assessing officials and has been posted on the job site. |
| WHERE TO FILE | File the form with the municipality for approval by the municipal assessing officials and an assigned operation number. A Timber Tax bond may be required, see below. The Intent must be signed by the municipal assessing officials and an operation number assigned prior to distribution. DISTRIBUTION: The original, signed copy is retained by the municipal assessing officials; a copy to the Owner, a copy to the Logger, and a copy to the Department of Revenue Administration (DRA) by Mail to: PO Box 487 Concord NH 03302-0487; by E-mail to: timber@dra.nh.gov or by Fax to: (603) 230-5943. |
| WHO MUST PAY | After Form PA-8, Report of Wood or Timber Cut (Report), is submitted to the municipality, a tax bill will be issued to the owner and payment shall be remitted directly to the municipality. The Timber Tax is a 10% tax on the stumpage value at the time of cutting. |
| REPORT & CERTIFICATE | Once the Intent has been signed and an operation number assigned, appropriate copies shall be forwarded by the municipality to the owner and the DRA. After the copy of the Intent has been received by the DRA, a Report and a Certificate will be issued by the DRA to the individual indicated on Line 6. The Certificate should be posted in a conspicuous place within the area of the cutting. |
| EXEMPTIONS | RSA 79:1, II (b). The following persons shall not be required to file an Intent to Cut or be subject to the Timber Tax: (1) A person who cuts, within the tax year, up to 10,000 board feet of logs from his own land for use in the construction, reconstruction, or alteration of his own buildings, structures, or fences situated in the State of New Hampshire; provided that such buildings are not being built for sale purposes; (2) A person who cuts or causes to be cut, within the tax year, up to 20 cords of fuel wood for his own consumption in the State of New Hampshire for domestic fuel purposes, or any amount for the manufacture of maple sugar or syrup; (3) Federal government, state government, cities, towns, school districts, or other political subdivisions which cut wood or timber for their own use, on lands under their ownership or jurisdiction or both. (4) Persons engaged in the clearing or manufacturing of rights-of-way or water storage reservoir areas incidental to the furnishing of utility services or transportation services to the public; provided, however, that when the person clearing or causing the clearing of said right-of-way sells or agrees to sell the wood or timber, he shall be deemed an "owner" as defined in subparagraph (a) above. (5) A person who cuts or causes to be cut, within the tax year, up to 10,000 board feet of logs and 20 cords of wood or the equivalent in whole tree chips, from the person's own land within a municipality, for land conversion purposes other than timber growing and forest uses, provided that those persons intending to convert the use of the land have secured all required permits including, but not limited to, building permits, subdivision or zoning permits, excavation permits, or site plan approvals, as necessary for the use to which the land will be converted, and are able to furnish proof of such permits. RSA 79:2 Release From Taxes. (6) All growing wood and timber except fruit trees, sugar orchards, nursery stock, Christmas trees, and trees maintained only for shade or ornamental purposes or for genetically-engineered short rotation tree fiber, which shall not be subject to the yield tax, shall be released from the general property tax and the school tax in unincorporated places provided for in RSA 198:16, but the land on which such growing wood and timber stands shall be assessed. |
| TIMBER TAX BOND | Bond Required: 1. If owners are not current on property taxes and/or timber taxes; 2. If owners are tenants in common and all have not signed the Intent; and 3. Owners do not own property in the municipality. Timber Tax Bonds are equal to the estimated Timber Tax. |
| NEED HELP | Call the Department's Municipal & Property Division at (603) 230-5950. Hearing or speech impaired individuals may call TDD Access: Relay NH 1-800-735-2964. |
| NEED FORMS | Forms may be obtained by mail from the New Hampshire Department of Revenue Administration, PO Box 487 Concord NH 03302-0487, by calling (603) 230-5950 or on the Department's Web site at www.revenue.nh.gov/forms . |
| TDD ACCESS | Individuals who need auxiliary aids for effective communication in programs and services of the Department of Revenue Administration are invited to make their needs and preferences known to the Department. TDD Access: Relay NH 1-800-735-2964. |

LINE-BY-LINE INSTRUCTIONS

| | |
|----------------|---|
| LINE 1 | Enter the name of the New Hampshire municipality where the cut is to take place. |
| LINE 2 | Enter the municipality assigned tax map and lot number or the US Forest Service Sales sale name and unit number. |
| LINE 3 | Indicate if the Intent is an original or supplemental. Original means the first filing in a tax year. Supplemental means an additional filing to make corrections or additions to information contained on the original Intent. If this is a supplemental, enter the original operation number as previously assigned by the municipality. |
| LINE 4 | Enter the name of the road from which the cutting will be accessible. |
| LINE 5 | Enter the total number of acres in the lot, the number of acres you are working on, and the anticipated start date of the cutting. |
| LINE 6 | Check the box to indicate the type of ownership of the land. Check the box indicating if the Report and Certificate should be sent to the Owner or Logger/Forester. Provide an e-mail address if you would like the Report and Certificate e-mailed to the Logger/Forester. |
| LINE 7 | The form must be signed and dated by all owners of the property, unless the owner's are Tenants in Common (see RSA 79:1, II (a), 2). Clearly print the complete name(s), mailing address and telephone number of the owner(s). Provide an e-mail address if you would like the Report and Certificate e-mailed to the owner(s). |
| LINE 8 | Enter the estimated amount of timber to be cut by thousand board feet (MBF), tons or cords under the appropriate species. The cutting should take place during the Tax Year April 1 to March 31. Before exceeding the original estimate, a supplemental Intent must be filed for additional volumes of timber. |
| LINE 9 | Enter the species of any amounts not included in section 8 you are claiming an exemption for and the amount of the cut in the space provided. [See exemptions numbers 1-6 above] |
| LINE 10 | The Intent must be signed and dated by the Logger/Forester or person responsible for the cutting who accepts responsibility for verifying the volumes of wood to be reported by the owner. The person signing should be familiar with RSA 227-J, the timber harvest laws. Clearly print the name, complete mailing address and telephone number of the Logger/Forester or person responsible for cutting. |

February 13, 2018

To the Selectmen,

We would like to request a fee waiver for the use of the Exeter Town Hall for a jump rope practice for our team. Extreme Air of NH is a well know jump rope team in the Seacoast region. A number of jumpers on our team are from the town of Exeter. We do workshops and demos during the year for the local communities as well as competing nationally in the USA Jump Rope League. We are a tax-exempt 501(c)(3) nonprofit organization. We would greatly appreciate the opportunity to use the Town Hall.

Thank you very much for considering our request.

Gloria Everett
Coach
Extreme Air of NH

EXETER WOMAN'S CLUB

February 14, 2018

Board of Selectmen

Town of Exeter

re: Abatement

Abatement is requested for our non profit Club's use of the Town Hall for our Annual June Yard Sale and Annual October Antique Appraisals afternoon that were previously approved by the Selectmen. We did not know at the time of requests that a written request was required.

Thank you for supporting our scholarship fundraisers.

Sincerely,



Evelyn Orr, Chairman

Ways & Means Committee

277 Water St., Apt. 214, Exeter, NH 03833

LEGISLATIVE BULLETIN

Bill Makes a Mess of Town Meeting

The long-awaited amendment to **SB 438**, the town meeting postponement bill, was unveiled this week, and it was very disappointing. The language of the amendment differed little from the original bill, and neither the Senate Election Law and Internal Affairs Committee nor the bill's proponents (the Secretary of State's office) seemed concerned about the conflicts it will create with other municipal governance and election statutes.

Perhaps they did not fully understand the problems, since we never did get to meet with the parties drafting the amendment. The bill's effort to break the singular town meeting process into two separate parts—one an "election" and another a "meeting"—flies in the face of town meeting laws, developed over centuries, supporting one meeting with several stages, and creates conflicts with scores of existing statutes. We have testified and written about examples of the conflicts—there are simply too many to list them all, and no way to fix the conflicts without a very lengthy amendment. We have again contacted the Secretary of State's staff involved in drafting the amendment to try to learn more information. If they believe the language doesn't create conflicts, perhaps they could explain why that is so, and if they recognize the conflicts, why do they persist with this language?

We have to ask why this is happening. It appears to be a quintessential power struggle. It began last year when a blizzard hit on Town Meeting Day, and dozens of municipal attorneys (not just those at NHMA) unanimously agreed that the moderator had the authority to postpone—an opinion, as we now know, that the Attorney General's office shared. (We also know that the Secretary of State's office advised at least a half-dozen municipalities that the moderator had authority to postpone, before that office reversed itself.)

What happened last year has led to the critical philosophical policy issue at stake—are local officials in the best position to determine whether the voting day of a town meeting should be postponed due to severe weather, or should that call lie with the Secretary of State in Concord—an official who has no authority and no role in town meetings?

Bulletin 09, 2018 Session

February 16, 2018

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GOVERNMENT AFFAIRS CONTACT INFORMATION

Judy A. Silva, Executive Director

Cordell A. Johnston, Government
Affairs Counsel

Barbara T. Reid, Government
Finance Advisor

Timothy W. Fortier, Communica-
tions & Member Services Coordina-
tor



25 Triangle Park Drive
Concord NH 03301
Tel: 603.224.7447
governmentaffairs@nhmunicipal.org
Website: www.nhmunicipal.org

This question of municipal authority to postpone either session of town meeting is one that will hardly ever arise, as there has rarely been a debilitating snow storm on Town Meeting Day. Nevertheless, the troublesome amendment that is to be sent to the Senate floor on February 22nd is drafted in such a manner that it will create scores of statutory conflicts and uncertainty for town meetings *every single year* if passed. Local officials should not be put in the position of trying to make flawed laws work smoothly so their town meetings can function. See the article below for more examples of the conflicts created by **SB 438**.

Some supporters of the bill have attempted to justify it by questioning the integrity of local officials, suggesting that moderators and selectmen will toy with the scheduling of voting day to manipulate the outcome. How a moderator could know what effect, if any, a postponement might have on voter turnout or voting results, is a question with no answer. Voters would not tolerate such an action at the local level, and local officials know that.

NHMA offered an amendment to the committee that would address the few legitimate concerns that arose last year; it would provide a uniform process for all towns to follow should the moderator postpone the voting day of the meeting due to hazardous weather. We have an improved amendment ready to offer, clarifying that the voting day in a cooperative school district may not be postponed unless all towns in the district agree. It leaves the authority to postpone with local officials—in the unlikely event that the need should arise—and unlike the bill as approved by the committee, it does not create massive confusion and chaos for the town meeting process.

SB 438 will go to the Senate floor next **Thursday, February 22**. Please contact your senator and urge him or her to support the NHMA amendment to **SB 438**, and, if it fails, to vote the bill Inexpedient to Legislate because of the harm it will do to their towns and to local government.

Statutory Conflicts Under SB 438

As mentioned above, **SB 438** would create scores of irreconcilable conflicts with existing statutes. These arise because the bill seeks to define a town “meeting” and a town “election” as two completely discrete, disconnected events—something that any experienced local official knows is not true.

The bill states:

Notwithstanding any other provision of law, for the purposes of all statutes pertaining to annual and special meetings of towns, school districts, and village districts:

“Election” means the choosing of officers by official ballot and in towns, school districts, and village districts that have adopted the official ballot referendum form of meeting as authorized by RSA 40:13, voting on warrant articles by use of official ballot.

“Meeting” means the discussion of business of the towns, school districts, or village districts and voting on warrant articles only by voice, division, or secret “yes-no” ballot

vote. Meeting shall include the deliberative session of an annual meeting in towns, school districts, and village districts that have adopted the official ballot referendum form of meeting as authorized by RSA 40:13.

Thus, regardless of what any other statute says, the town “meeting” will now mean only the deliberative session in an SB 2 town and the business session in traditional town meeting towns. Voting for officers and voting on other matters by official ballot will now constitute an “election,” not a “meeting.”

Here are just a few of the problems this creates:

- The municipal budget law applies to all towns “which adopt their budgets at an annual meeting of their voters.” Under **SB 438**, the annual “meeting” in an SB 2 town is the deliberative session. But the budget in those towns is adopted on the official ballot voting day (which **SB 438** defines as an “election”). Therefore, SB 2 towns will no longer be adopting their budgets “at an annual meeting of their voters,” so the municipal budget law will no longer apply to any SB 2 town. What law will they follow for their budget process?
- State law requires the selectmen to file a copy of the town’s adopted budget with the Department of Revenue Administration within 20 days after “the close of the meeting.” Because **SB 438** says that the “meeting” in an SB 2 town is the deliberative session, the budget will now have to be filed within 20 days after the deliberative session—which will always be before the official ballot vote. Therefore, the budget must be filed with DRA before it is adopted. How will that work?
- Under existing law, town officers are to be elected “at the annual meeting.” In almost all towns, they are elected by official ballot at the ballot voting session of the meeting. Because **SB 438** defines that session as an “election,” not a meeting, all officers will now need to be elected at the deliberative session in an SB 2 town, and at the business session in other towns. How will that work, given that the official ballot is not used at those sessions, and no final votes are to be taken at an SB 2 deliberative session?
- Zoning ordinances and amendments are to be adopted at a “meeting” of the legislative body, and in almost all towns this is done using the official ballot. Again, under **SB 438** these actions will now need to be taken at the deliberative session in an SB 2 town and the business session in other towns, where the official ballot is not used. How will that work?

The list goes on and on. And on. So far we have identified 54 separate statutes that would be rendered meaningless or unworkable by **SB 438**—and we stopped counting only because of fatigue. The bill would create confusion in the adoption of budgets, election of officers, establishment of land use boards, adoption of ordinances, approval of collective bargaining agreements, and who knows what else.

Utility Valuation Discussion Continues

The House Ways & Means Committee heard testimony this week on **HB 324**, which would create a study commission to consider methods for valuing public utility property for local property tax purposes and make recommendations for legislation. NHMA and several other parties testified in support of the bill, except for recommending elimination of the provision that would place a three-year moratorium on any municipality's changing its utility property valuation method. No one opposed the bill. There was an eerie silence from the utility companies.

Meanwhile, a subcommittee of the same committee held a work session on **HB 1381**, the competing bill that would render the study commission irrelevant by legislating a valuation method based on the net book value of the property. That subcommittee heard from representatives from municipalities, public utilities, the Department of Revenue Administration, and the Assessing Standards Board.

Finally, a subcommittee of the Assessing Standards Board has been working on the same issue, and is likely to make a recommendation to the full board today, with a goal of having the board make a recommendation to the legislature. Whether the board will accept the subcommittee recommendation, or will do so today, is uncertain as of this writing.

In other words, stay tuned; everything is up in the air. The **HB 1381** subcommittee has scheduled another work session for next **Tuesday, February 20, at 11:00 a.m. in LOB Room 202**. **HB 324** has not been scheduled for further action yet. We will keep you posted.

Senate Passes Working-After-Retirement Bill

On Thursday, by a vote of 11 to 13, the Senate failed to adopt the Finance Committee's 4 to 2 recommendation of Inexpedient to Legislate on **HB 561**, dealing with retirees working after retirement. After the committee report was rejected, an amendment was offered to extend the effective date of the bill from "upon passage" to January 1, 2019, to allow employers and retirees additional time to adjust to the changes in the bill. With this amendment, the bill passed on a voice vote. As we previously reported, **HB 561**:

- lowers the number of hours a New Hampshire Retirement System (NHRS) retiree can work part-time for an NHRS employer to 1,300 hours per year (an average of 25 hours per week);
- imposes a surcharge on the total compensation paid to a retiree (3% charged to the retiree and 5% charged to the employer) if the hours worked in a calendar year exceed 1,300;
- institutes a significant penalty if the yearly hours worked by the retiree exceed 1,300 (or exceed 1,600 if the employer provided prior notification to NHRS that annual hours will be more than 1,300);
- requires a 28-day waiting period from the date of retirement before a retiree can be employed again by any NHRS employer; and
- grandfathers current retirees, but only in their current part-time positions.

HB 561 heads back to the House to either concur with the Senate changes, non-concur and let the bill die, or request a committee of conference. We don't expect that action to occur until later in the session. We will notify you as that time approaches.

Governor Presents State of the State Address

On Thursday Governor Sununu presented his State of the State address to a joint session of the House and Senate. The full text of the Governor's address is available [here](#).

Submit Your Policy Proposals!

NHMA's legislative policy process is getting underway. A number of people have signed up for our legislative policy committees, although there is still room for a few more. Those committees will hold their first meeting on April 6, and we will send more information to the members next month.

In the meantime, it is time to submit your legislative policy proposals. If you are a municipal official (or board) with an idea for legislation that could improve municipal government, please consider submitting a proposal.

You can download the NHMA Legislative Policy Proposal Form [here](#). A policy proposal form should accompany each proposed legislative policy. Please follow the instructions to submit the form, and note that all proposals must be submitted by April 20, 2018.

HOUSE CALENDAR

TUESDAY, FEBRUARY 20, 2018

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. **HB 1766-FN**, relative to remediating the Coakley Landfill in Greenland.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:30 a.m. Public Hearing on non-germane amendment #2018-0539h to HB 1805, establishing a committee to study level dollar amortization of retirement system unfunded accrued liability. The amendment extends the term of NH Retirement System trustees from 2 to 3 years. Copies of the amendment are available in the Sergeant-at-Arms office, Room 318, State House

TRANSPORTATION, Room 203, LOB

10:30 a.m. **HB 1400**, relative to red light equipment on vehicles owned by dispatchers.

1:00 p.m. **HB 1459**, prohibiting autonomous vehicles on New Hampshire highways.

WEDNESDAY, FEBRUARY 21, 2018

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:00 a.m. **HB 1592-FN**, requiring the commissioner of the department of environmental services to review standards relative to arsenic contamination in drinking water.

SENATE CALENDAR

TUESDAY, FEBRUARY 20, 2018

COMMERCE, Room 100, SH

1:00 p.m. SB 420, relative to collective bargaining under the right-to-know law.

ENERGY AND NATURAL RESOURCES, Room 103, SH

9:30 a.m. SB 443, relative to the jurisdiction of counties concerning retail electric supply.

JUDICIARY, Room 100, SH

9:30 a.m. HB 252, relative to pro se litigants under the right-to-know law.

HOUSE FLOOR ACTION

Thursday, February 15, 2018

HB 124-FN, repealing certain aircraft registration fees. **Passed with Amendment.**

HB 193, relative to traffic control measures. **Passed.**

HB 438, eliminating the automatic union dues payment for state employees. **Inexpedient to Legislate.**

HB 1548-FN, relative to meals and rooms taxes applicable to room remarketers. **Inexpedient to Legislate.**

HB 1566, prohibiting open carry of a firearm in certain public places. **Inexpedient to Legislate.**

HB 1630, relative to unfunded property tax exemptions or credits. **Inexpedient to Legislate.**

HB 1710-FN-A, relative to the provision allowing operators to retain a portion of meals and rooms taxes collected and the appropriation of meals and rooms tax revenues to school building aid. **Inexpedient to Legislate.**

HB 1821-FN, repealing Keno. **Inexpedient to Legislate.**

SENATE FLOOR ACTION

Thursday, February 15, 2018

SB 320, relative to checklists used at elections. **Passed.**

SB 352-FN, relative to examinations of injured employees under workers' compensation law. **Interim Study.**

SB 364, establishing a commission to study the establishment of a searchable database to verify that each vote was properly recorded. **Inexpedient to Legislate.**

SB 366, relative to members of the site evaluation committee. **Passed with Amendment.**

(Senate Floor Action— Continued from Page 6)

SB 394, enabling municipalities to establish term limits for elected officials. **Inexpedient to Legislate.**

SB 417, relative to days of rest for employees of recreation camps and youth skill camps. **Passed.**

SB 450-FN-A, establishing an advisory commission for the department of environmental services relative to the delegation of authority of the National Pollutant Discharge Elimination System Program. **Passed with Amendment; referred to F-S.**

SB 504-FN, relative to sales of tax-deeded property. **Passed with Amendment.**

SB 505, requiring abutter notice of the construction of a crematory. **Passed.**

SB 508, establishing a committee to study the prevalence of post-traumatic stress disorder (PTSD) among first responders. **Passed with Amendment.**

SB 509, allowing municipalities to require income and expense information of business properties for tax appraisals. **Inexpedient to Legislate.**

SB 510, relative to municipal notice of leases on tax-exempt property. **Passed with Amendment.**

SB 529-FN, authorizing river maintenance in the town of Warren. **Passed with Amendment; referred to F-S.**

SB 552-FN, relative to transportation of trauma victims by first responders. **Interim Study.**

SB 554-FN, relative to the minimum hourly rate and employer-sponsored health benefits. **Inexpedient to Legislate.**

SB 579-FN, relative to penalties for welfare fraud. **Passed.**

HB 561-FN, relative to part-time employment of a retirement system retiree by a participating employer. **Passed with Amendment.**

2018

Upcoming NHMA Workshops and Webinars

| | |
|---------|--|
| Feb. 21 | NHMA Webinar—Election Law Changes in 2018 |
| Mar. 14 | NHMA Webinar—Municipal Social Media Policies and Free Speech |

Please register online through our website www.nhmunicipal.org. (Scroll down on left to Calendar of Events and click View the Full Calendar)