

**Exeter Board of Selectmen Meeting  
Monday, July 1<sup>st</sup>, 2013, 6:30 p.m.  
Nowak Room, Town Office Building  
10 Front Street, Exeter, NH**

**BUSINESS MEETING TO BEGIN AT 7:00 P.M.**

1. Non Public Session – 6:30 p.m.
2. Call Meeting to Order
3. Public Comment
4. Minutes & Proclamations
  - a. Regular Meetings: June 17<sup>th</sup>, 2013
5. Appointments
6. Discussion/Action Items
  - a. New Business
    - i. Discussion: Town Hall Repairs
    - ii. COAST: Route Changes/Updates
    - iii. Franklin Street Survey Grant – DHR
    - iv. Discussion: RSA 79-E
    - v. Discussion: Social Media Policy
  - b. Old Business-
    - i. Public Drinking Ordinance
7. Regular Business
  - a. Bid Openings/Surplus Declarations
  - b. A/P and Payroll Manifests
  - c. Tax, Water/Sewer Abatements & Exemptions
  - d. Permits & Approvals
  - e. Town Manager's Report
  - f. Legislative Update
  - g. Selectmen's Committee Reports
  - h. Correspondence
8. Review Board Calendar
9. Non Public Session
10. Adjournment

Don Clement, Chairman  
Board of Selectmen

Posted: 6/28/13 Town Offices, Town Hall, and Departments

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.

## Draft Minutes

### Exeter Board of Selectmen Meeting

June 17, 2013

#### **1. Call Meeting to Order**

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

#### **2. Public Comment**

Brandon Stauber spoke in front of the Board. He made some comments about an EDC meeting he had attended that week, in which he felt personally attacked. He spoke about his feelings. Selectman Quandt asked what the issue was. Brandon said the BOS has a disrespectful attitude in general for anyone who disagrees with the Board.

Dennis Brady spoke saying Brandon was told he was the problem. He said there still questions that need to be addressed. Selectman Quandt, who was absent from said meeting, asked if people were denied the right to ask questions. Mr. Brady said no, but that there were some statements made that were not appropriate. He felt the situation was not handled correctly.

Chairman Clement said this is a committee meeting so this should be brought up at the next EDC meeting.

Selectman Ferraro thanked Mr. Brady and Mr. Stauber for getting up in speaking their concerns, but agrees that this should be discussed at the EDC meeting. He went on to say there should not be any personal attacks anywhere, that it should be discussed one on one.

Don Woodward spoke and asked to reserve time at the legislative update to speak.

Dan Jones asked the BOS to let the public know there is a bicycle race coming up next week. Mr. Dean said it is typically the third week in June.

#### **4. Minutes & Proclamations**

##### **a. Regular Meeting: June 3, 2013**

A Motion was made by Selectman Ferraro and seconded by Selectman Quandt to accept the minutes of the June 3, 2013 Board of Selectman meeting. Motion carried – all in favor.

## **5. Appointments**

A Motion was made by Vice Chair Chartrand and seconded by Selectman Quandt to appoint Christina Hardy to the Planning Board for term ending 4/30/2015. Motion carried – all in favor.

## **6. Discussion/Action Items**

### **a. New Business**

#### **I. Public Hearing: Connie Road Emergency Lane Designation**

A Motion was made by Selectman Quandt and seconded by Vice Chair Chartrand to open a public hearing on the designation of Connie Road as an emergency lane under Section 231:59-A. Motion carried – all in favor.

Vice Chair Chartrand said there was a discussion started 2 weeks ago about Connie Road being designated an emergency lane. Mr. Dean said there is a provision that allows by law to declare an emergency lane for doing minimal repair on these roads. He said in 1989 the town passed a citizens petition for winter maintenance on Connie Road. There is a question of title on Connie Road, making it unclear whether the road is private or belongs to the town. For the purpose of the hearing the road is being considered private.

Fred Renz, a Connie Road resident, spoke saying himself and other residents on the road are asking for minimal maintenance. He said the residents have been getting together over the years and doing maintenance but it is getting tougher and more expensive.

Chairman Clement said minimal work would be 2-3 hours in the spring to take care of the winter mess.

Dan Jones, a Connie Road resident, said he would be happy to work with the town to create a turnaround.

Bob Collier, a Connie Road resident, thanked the Board for listening to the residents' concerns.

Chairman Clement commented that this is an important issue not just for the residents, but because there are water lines that run down the road that need to be accessed. There are other access issues to conservation land that require this road be passable.

Selectwoman Gilman mentioned that it would not only help the residents out, it also would help out the town.

Vice Chair Chartrand thanked the residents for their cooperation.

A Motion was made by Selectman Quandt and seconded by Selectwoman Gilman to close the Public Hearing. Motion carried – all in favor.

A Motion was made by Selectman Quandt and seconded by Vice Chair Chartrand to declare Connie Road an emergency lane under RSA 231:59-A. Motion carried – all in favor.

## **II. 2013 Dog Warrant**

Russ Dean said every year the BOS signs a warrant for unlicensed dogs. He said there are currently 568 unlicensed dogs in Exeter and dog owners need to register or they could be fined. He recommended the Board vote to sign the warrant.

A Motion was made by Selectman Ferraro and seconded by Selectwoman Gilman to sign the warrant for unlicensed dogs in 2013. Motion carried – all in favor.

## **III. Lease/Purchase Documents: Sewer Vector Truck**

Mr. Dean said the Board has awarded the bid at a previous meeting for the sewer vector truck to CN Wood for \$369,000. Tonight is the financing recommendation which is Provident Bank. He said this was a favorable bid because the truck came in \$20,000 under budget and Provident offered a great interest rate of 1.59%. He said Provident Bank was aggressive with their proposal compared to others. Mr. Dean asked for the Boards approval so Chairman Clement can sign. He went on to say the total principal and interest will be \$385,370.83. Chairman Clement asked if this goes forward, when will the new truck come and what will be done with the existing truck. Michael Jeffers said it will come by October and that he has a number of interested buyers for the existing truck. Chairman Clement said the existing truck will be declared to surplus and put out to bid.

A Motion was made by Selectman Quandt and seconded by Selectwoman Gilman that the Board of Selectman approve the lease purchase financing of the sewer vector truck through Provident Bank for five years with an interest rate of 1.59% annual interest. Further, the Board of Selectmen authorize the Chairman to sign the necessary documents to effectuate the lease purchase. Motion carried – all in favor.



#### **IV. Goals Meeting Follow Up**

Chairman Clement said the Board met on June 7 to follow-up on the goal setting session that was started in April. He said they discussed numerous topics that were brought up at the April meeting. He said they formulated four measurable goals for the Boards to meet between now and the end of the year.

Selectman Ferraro had a couple amendments to the goals. The first being, on the first bullet, he wanted to specify getting the Board's views known rather than getting others views.

Vice Chair Chartrand requested that the Board get the amendments in advance, and to table his amendments. Chairman Clement said any new business should be brought up beforehand. He went on to say he didn't think Selectman Ferraro was making an amendment, rather just adding a few things.

Chairman Clement went back to Selectman Ferraro's idea, saying he would have a hard time going in and calling all the Boards and telling them how to conduct business. He would rather get input from them. He wants input from the Boards and not the BOS versus all other Boards. Selectwoman Gilman commented that she doesn't look at it a BOS versus other Boards. Vice Chair Chartrand said he likes the memo as drafted by the Town Manager.

Selectman Ferraro said the ZBA does not have the same powers as other Boards, therefore he does not see the need to have them at the all boards meeting. Selectwoman Gilman said the ZBA should be invited.

Chairman Gilman talked about Goal 2 and asked if all felt comfortable with this goal. All Board members do.

In conclusion, all Board members felt comfortable with all four goals.

Selectman Ferraro asked when the minutes would be out from this meeting and Mr. Dean said he would check with Primex.

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

##### **I. Bid Award: Waterstream Reduction Project**

Russ Dean talked about the result from a bid a couple weeks ago. He said DPW recommended that PRB Construction, Inc out of Gilford, NH be awarded the bid for the amount of \$108,000.

Selectman Ferraro asked about additive alternative 2a and 2b. Michael Jeffers, from DPW, said additive alternative 2a and 2b are not required to make the project work. He went on to say they can negotiate with all bidders to get a lower bid for 2a and 2b.

Selectman Quandt asked when the completion date is. Mr. Jeffers said he can't give an exact date but it will be before snow flies.

A Motion was made by Selectman Quandt and seconded by Vice Chair Chartrand to award the bid to PRB Construction, Inc. for the amount of \$108,000. Motion carried – all in favor.

Mr. Jeffers asked anybody watching the meeting to respond to their water meter replacement notices.

Mr. Dean said he will put a reminder on the town website.

## **II. Follow Up: Public Drinking Ordinance**

Chairman Clement started the discussion, talking about various events and whether or not there should be allowed alcohol consumption. He said it is not allowed unless the Parks and Recreation Director and/or the Chief of Police ok it. Mr. Dean reminded that Primex is looking at the "consumption" of alcohol, and not the "sale" of alcohol.

Vice Chair Chartrand thinks the ordinance is fine the way it is. He said responsible town employees are already involved and there is no need to go in and change anything.

Selectman Ferraro does not think alcohol consumption should be allowed on public property.

Selectman Quandt agreed with Mr. Chartrand, but thinks there should be something in writing so the BOS can be involved if there is a disagreement between the Parks and Rec Director and the Chief of Police.

Selectwoman Gilman is not against public consumption, but she thinks the town has to be careful about it. She thinks there should be something in writing saying "At your own risk". She just wants it to be more structured.

Mr. Dean said the locations are going to have to be specific. Chairman Clement agreed, adding there must be a limit to specific locations so it's not happening all

over town. The event wishing to have alcohol consumption must meet all the requirements of the license agreement.

Selectman Ferraro said this is a more important agenda item and that the BOS should be involved in the decision making. Selectwoman Gilman thinks it should only be brought to the Board if it is a large event.

Chairman Clement asked Mr. Dean to have counsel review the license agreement and the ordinance and venue limitations, and asked him to report back in a few weeks.

### **III. Jay Walking Memo: Chief of Police**

Chairman Clement talked about a memo from Chief Kane. Mr. Dean said the crosswalk issue has been brought up but DPW has many projects going on and they need to fit this in.

Selectman Ferraro thanked Chief Kane for putting the memo together.

Vice Chair Chartrand read parts of the memo. Chief Kane said there are no problems with jaywalking, also saying that most accidents occur when pedestrians are on the crosswalk.

Vice Chair Chartrand asked why this is being brought up and Selectman Ferraro answered it is just something to be observed.

Selectman Quandt thinks it would be more appropriate to just ask people to use the crosswalk rather than writing summons.

Chairman Clement said he does not want to be "that town" that gives pedestrians summons for not using crosswalks. We went on to say it is a behavior that is hard to legislate.

Mr. Dean went on to describe the process of reporting a jaywalker. He said if someone sees it they would have to call the police and have a policeman assigned to follow up.

## **6. Regular Business**

### **a. Bid Openings /Surplus Declarations**

Mr. Dean said there are two surplus declarations at Simpson's Pit. They are two old screeners and DPW says they do not need them.

A Motion was made by Vice Chair Chartrand and seconded by Selectman Quandt to declare the screeners surplus. Motion carried – all in favor.

**b. A/P and Payroll Manifests**

A Motion was made Selectwoman Gilman and seconded by Vice Chair Chartrand to approve payroll disbursements for checks dated June 5, 2013 in the amount of \$196,882. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Vice Chair Chartrand to approve payroll disbursement checks dated June 12, 2013 in the amount of \$166,440.03. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Vice Chair Chartrand to approve accounts payable checks from the capital fund in the amount of \$112,418.93. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Vice Chair Chartrand to approve accounts payable checks dated June 7, 2013 in the amount of \$304,790.35. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Vice Chair Chartrand to approve account payable warrant for checks dated June 14, 2013 in the amount of \$142,960.13. Motion carried – all in favor.

**c. Tax, Water/Sewer Abatements & Exemptions**

A Motion was made by Selectwoman Gilman and seconded by Vice Chair Chartrand to approve an abatement for Map 68, Lot 2, in the amount of \$278.09. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Vice Chair Chartrand to approve an abatement for Map 89, Lot 8, in the amount of \$63.51. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve an elderly exemption for Map 63, Lot 156 in the amount of \$182,357.00. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve an elderly exemption for Map 104, Lot 79, Unit 512 in the amount of \$236,251.00. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Vice Chair Chartrand to approve a veteran's credit for Map 64, Lot 67 in the amount of \$500.00. Motion carried – all in favor.

There was an Intent to Cut which was put on hold for reference to the Town Planner.

**d. Permits**

Mr. Dean talked about the permit at the Orange Leaf for extra outdoor seating. He said the ZBA decision did not prohibit this. Mr. Eastman said all measurements on the sketch of layout provided were accurate.

Selectman Ferraro suggested requiring insurance for extra seating and requiring a trash receptacle outside for their outside seaters.

A Motion was made by Vice Chair Chartrand and seconded by Selectman Quandt to approve an additional 8 seats for Orange Leaf seating on sidewalk provided they provide a certificate of insurance and require a trash can. Motion carried – all in favor.

Mr. Dean said the business puts their things on public property at their own risk so he wasn't sure about the need to require proof of insurance. Selectman Ferraro said he's not worried about their stuff being damaged but more concerned about a pedestrian tripping and falling.

Mr. Chartrand added he would like them to provide a certificate of insurance.

Mr. Dean will get a certificate of insurance from Orange Leaf.

**e. Town Manager's Report**

Mr. Dean talked about the following:

- He was able to attend a visit to Eclipse with some EDC members. He said it was a good meeting and they are doing great things out there.
- He wanted to recognize the staff for their work on Jady Hill, saying they are doing a great job.
- The HR Director is back part-time

- The Town Clerks office is still under construction but should be done very soon.
- The Town Office HVAC project is coming to an end.
- He commended the town employees for helping so much with the interns
- Town Hall- waiting on final estimate from the contractor regarding electrical work to be done.

**f. Legislative Update**

Don Woodward talked about HB 630 and SB 111. He asked the Board to write a letter of recommendation to the governor. He thinks these bills are important and should be discussed. Vice Chair Chartrand asked for these to be put on the next meeting's agenda.

**g. Selectmen's Committee Reports**

Selectman Ferraro reported he did a site walk on Linden Street Commons. He is concerned the work may not be proceeding to plan. He attended the Water/Sewer Committee meeting and a Safety Committee meeting. He said Planning Board meets Thursday (June 20).

Vice Chairman Chartrand attended the BOS goals session on June 7. He said it was a great session and Primex was very helpful. He attended the Water/Sewer subcommittee meeting on June 10. He also attended the EDC meeting on June 11. He spoke a bit about the happenings, in specific gave an explanation about Brandon Stauber's issues at the EDC meeting as mentioned above in Public Comment. He said he feels badly about the earlier discussions.

Selectwoman Gilman attended the Heritage Commission meeting. He also said 375<sup>th</sup> met and revised the cost of the t-shirts. She is looking for help to sell these. She said the next event is the Victorian Tea and Garden Tour on June 22 from 2-4. She also talked about the Great Dam study which will be discussed on June 26 at the High School.

Selectman Quandt said he had nothing to report.

Chairman Clement talked about the Exeter study on the Dam on the 26<sup>th</sup>. He said they are looking for alternatives on how to keep the Dam and stabilize it. He welcomes any input.

**j. Correspondence**

Chairman Clement talked about the following correspondence:

- A letter from Pennichuck about a water rate case at Forest Ridge
- A letter from NHMBB about the Town's recent bond sale for Portsmouth Avenue water/sewer line replacement.
- A letter from Doreen Ravell consisting a wire confirmation form from the NHBB.

**7. Review Board Calendar**

Chairman Clement said there are three meetings in July; July 1, July 15, and July 29. He asked that one of them be turned into a work session. He talked about getting a full report from the River Study Committee and said the EDC will come in front of the Board in July. He asked Selectwoman Gilman to complete a survey. He also talked policies and trying to come up with a social media policy for employees.

A Motion was made by Selectman Quandt and seconded by Vice Chair Chartrand to adjourn the meeting at 10:15 pm. Motion carried – all in favor.

Respectively submitted,

Nicole McCormack  
Recording Secretary

# Memo

To: Russell Dean, Exeter Town Manager  
Thru: Jennifer Perry, Public Works Director  
From: Kevin Smart, Maintenance Superintendent  
Date: 28 June 2013  
Re: Town Hall Fire Insurance Claim 2013  
Cc: Exeter Board of Selectmen

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In continuation of previous updates the General Contractor, Stan Graton has arranged viewing of the work by all sub-contractors, and has submitted an estimate on June 24, 2013 that is currently in review by David Gogolen of Woodland Claims Service. The adjuster has asked the General Contractor to provide further breakdown in key areas of the estimate, with an expected short turn around. David Gogolen has also requested that the Town engage the services of an Industrial Hygienist to conduct a survey, testing for lead and asbestos. The sampling was done on June 26 with results expected prior to the 4th of July Holiday.



NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES  
CERTIFIED LOCAL GOVERNMENT FY 2013 GRANT APPLICATION

**Priority I Projects**

Applications are due no later than May 15, 2013 or must be postmarked no later than May 12, 2013. Send the application to:

New Hampshire Division of Historical Resources  
19 Pillsbury Street  
Concord, NH 03301-3570 (phone: 271-3483)

NOTE: **Do not FAX**  
**application**

1. Applicant: **Town of Exeter**

Address: **10 Front Street Exeter, NH 03833**

Contact Person Name: **Julie D. Gilman**

Daytime Telephone: **(603) 957-1348**

2. Project Title: **Franklin Street Area Survey**
3. Project Category. Complete all sections as applicable. Section 3D should be completed by all applicants.

NOTE: Survey and National Register Projects do not require donor matching share, and are reimbursable at 100% of costs.

A. For **SURVEY** Project:

Describe area to be surveyed; **A well proscribed area of downtown Exeter along the Exeter River**

Estimated number of properties to be surveyed; **52**

Estimated number of acres to be surveyed; **approximately 16 acres**

D. For **PUBLIC AWARENESS AND EDUCATION** Project:

Describe audience; types of methods and materials.

**Public dissemination of the results of this project will be done through various means: presentations to various Boards and Commissions at public, televised meetings during TIF discussions and its presentations to voters which provide for public comment; Publications presented on Exeter's web site and Exeter Historical Society meetings; narrative report article in the Exeter News-Letter. This year Exeter is celebrating the 375<sup>th</sup> anniversary of its founding and is bringing attention to different eras of historical accomplishments through several events including: Power Point presentations and discussion of the Mapping Project, coordinated topical programs with the Exeter Historical Society and interactive Economic Development Fair produced by the Exeter Economic Development Commission which will include a presentation of Exeter's past history of industry and commerce.**

Even though the completed survey will not be available in 2013, we look forward to incorporating any accurate information presented at the periodic reviews of the project into any public discussions this year. The final product in 2014 will give us the material for continued discussion and presentation through the methods established during this year's celebration of Exeter's march through history.

4. Describe **PROJECT SCHEDULE** assuming a start date of August-September 2013, and completion date of September 30, 2014. List dates for subcontracting with consultants, on-site meetings, public meetings, and delivery of draft products are due August 1, 2014 – including survey and National Register forms –as applicable. All products, a final project report, and auditable financial documentation are due on the completion date.

**Early September: Selection of consultant through Small Purchase Procedures or other procedure if required by DHR**

**30 September 2013 – initial project review with consultant and DHR staff.**

**11 December 2013 – Progress review and comment by Exeter Heritage Commission**

**12 March 2014 – Progress review and comment by Exeter Heritage Commission**

**11 June 2014 – Progress submission submitted to DHR for review and comment**

**1 August 2014 – progress review and comment DHR staff**

**10 September 2014 - Final review and comment by Exeter Heritage Commission**

**29 September 2014 – Submission review for completion of documentation by Exeter Heritage Commission**

**30 September 2014 – Submission of product to DHR**

5. **PROJECT DESCRIPTION.** Describe reason for the project and expected results. How does the project meet the Selection Criteria? Describe the specific products which will result from the project. How will they be used? How will the public learn about the project and its purpose? Who will participate in the project and what will they do? (e.g., types and numbers of consultants, the CLG's personnel, volunteers, etc.). Describe other phases of the project, or provide any other information about the project, which might be helpful in understanding it.

**In September 2012 the Town of Exeter received its final report for an earlier CLG grant "Exeter Town Wide Mapping Project". That project was undertaken to survey the growth of Exeter through its history as depicted on maps of the Town outlining areas of dense development at given periods. This report is now being used by the Exeter Heritage Commission to prioritize areas of Exeter in need of further study and documentation. The Mapping Project has highlighted several neighborhoods from different historical periods.**

**Exeter's Franklin Street area is a densely populated, residential neighborhood that includes a few commercial properties. Recently an automotive repair business, servicing large transportation and construction vehicles, has vacated this neighborhood and relocated to a more appropriate location. This move leaves the town several properties on Franklin Street open for future development. The Commission chose the Franklin Street area for further study at this time because there is a need to educate the public, town departments and land use boards about the area's history before any future development may erase or compromise the historical resources in the neighborhood.**

**The survey area for this grant application consists of a small urban neighborhood bounded by the Exeter River, land owned by Phillips Exeter Academy and Town owned property. It is hidden behind Downtown and Front Street Historic Districts**

leaving a quiet neighborhood. The proposed survey area comprises of 52 properties with most lots measuring around one quarter acre for a total of sixteen acres of land. See attached map.

The Mapping Study indicates the area was developed mid to late 19<sup>th</sup> century concurrent with the establishment and expansion of the nearby Exeter Manufacturing Company textile mill. The 1802 Merrill map of Exeter shows the area as completely undeveloped. The 1845 Dow map shows dense development with the layout of most streets as they are today. The 1874 Sanford and Everts map depicts further infill development and the Hurd Atlas map of 1894 shows property lot lines and streets as we see them today. Bird's eye views published by the Exeter News-Letter in 1884 and 1896 indicate some small manufacturing enterprises in the neighborhood and worker housing infilling the area. Because of the land ownership and geographical constraints this may be one of Exeter's earliest cul-de-sac neighborhoods. Currently the neighborhood is predominantly multi-family conversions but is zoned for commercial uses. Anecdotally, some single family home owners believe their houses were relocated from another part of town.

We believe a survey of this area will provide more specific information to the Heritage Commission, Planning Department, Zoning Board of Adjustment and the concerned residents that will aid in the sensitive redevelopment of vacant property and future zoning considerations. This survey also meets the Heritage Commission's goal of more detailed study generation based on 2012 Mapping Project Recommendations.

The Town will hire a preservation planner to conduct the survey and produce the required documentation. Members of the Heritage commission will review the work periodically to determine the clarity and amount of inclusive information to meet expectations. The Commission is currently made up of residents who are familiar with the Town's history and the area and other residents who are new to the Town and eager to learn more about it. We feel this mix of experienced and fresh eyes will guide our consultant's product during reviews because questions and approvals will elicit a finished product that is informative and understandable to the general public. For the Commissioners, this product will be a guide during demolition reviews which may occur in the area because of the recent development opportunities. One such review of an example of a late 19<sup>th</sup> century workforce residence led to the recommendation that the building be preserved and remain residential. This recommendation was developed by the more experienced members of the Commission and was a good learning opportunity for the newer members.

**See Section 3D for public awareness and participation**

6. If the application is for a project that is not in the sequence of Survey - National Register-Preservation Planning, please explain why. Explain how the project will significantly contribute toward the community's ability to identify, evaluate, and protect its historic and archeological resources.

**PROJECT PERSONNEL AND EXPERIENCE.** Describe administrative capabilities of applicant and applicant's involvement in similar projects. The person administering the grant must be a designee assigned by the formal local governing body of the CLG's community. When was the municipality's last audit? Enclose copy of most recent audit, if available.

**Julie Gilman is a member of Exeter's Board of Selectmen and Heritage Commission. She led the work to achieve Exeter's status as a Certified Local Government. Julie has managed two previous CLG grant projects to successful completion. Julie has also worked on applications and fulfillment of Federal and State grants in other areas of Town interests. Attached letter from the Chairman of Exeter's Board o Selectmen designates Julie to administer the requested grant.**

**Attached is a copy of Exeter's most recent completed audit, fiscal year 2011.**

**BUDGET SUMMARY:**

A. CLG PERSONNEL:

<u>Name/Title</u>	<u>Description of Work</u>	<u>Rate</u>	<u>Total</u>
Julie D. Gilman	Grant Management		\$200
Fringe Benefits			\$0
TOTAL CLG Personnel			<b>\$200</b>

B. CONTRACTUAL WORK ( Not to exceed \$82.49/Hr.):

<u>Type of Contractor</u>	<u>Description of Work</u>	<u>Rate</u>	<u>Total</u>
Preservation Planner	Area Survey and documentation		\$15,500
TOTAL Contractual			<b>\$15,500</b>

C. CLG SUPPORT COSTS:

<u>Type of Volunteer</u>	<u>Description of Work</u>	<u>Rate</u>	<u>Total</u>
4 Heritage Commissioners	Project Review and approval	\$10/pp/hr	\$160

Travel (not to exceed \$.565/mile)  
Supplies/materials (itemize)

Telephone  
Photocopying/printing

\$200

TOTAL Support Costs

**\$360**

D. TOTAL PROJECT COST: \$16,060

E. TOTAL PROJECT COST (from previous page): \$16,060

GRANT REQUEST (complete both columns): \$15,000

MATCHING SHARE (complete both columns): \$1,060

F. SUMMARY OF MATCHING SHARE:

	<u>Donor</u>	<u>Source</u>	
Cash:	Town of Exeter	Heritage Commission Fund	\$500

TOTAL: **\$500**

Donated  
Personnel: CLG Personnel \$560  
Other CLG Support

TOTAL:

\$560

**Julie D. Gilman**

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Name and title of person preparing application

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Signature and date

**Donald Clement, Chairman Exeter Board of Selectmen**

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Name and Title of Chief Local Official or Designee

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Signature and date

**ATTACHMENTS**

- Please enclose copy of most recent audit.
- Please attach one or more clear, labeled photographs of the property or properties. Attach additional photographs or site plan, as appropriate, to illustrate conditions and proposed project work.

**CERTIFICATE FOR MUNICIPALITIES**

**I (insert name) Andrea Kohler, of (insert Municipality name), Exeter, NH, do hereby certify to the following assertions:**

1. I am a duly elected and acting Clerk/Secretary for the Municipality documented above, which is in the State of New Hampshire
2. I maintain and have custody of, and am familiar with, the minute books of the Municipality:
3. I am duly authorized to issue certificates with respect to the contents of such books:
4. The following are true, accurate and complete copies of the resolutions adopted during an official meeting of the Municipality. Said meeting was held in accordance with the laws and by-laws of the State, upon the following date (insert meeting date) 1 July 2013.

**RESOLVED:** That this municipality shall enter into a contract with the State of New Hampshire, acting by and through the Department of Cultural Resources providing for the performance by this Municipality of certain services as documented within the foregoing grant application, and that the official listed, (document the title of the official authorizing the grant, and document the name of the individual filling that position) Selectwoman Julie D. Gilman, on behalf of this Municipality, is authorized and directed to enter into the said grant agreement with the State of New Hampshire, and that they are to take any and all such actions that may be deemed necessary, desirable or appropriate in order to execute, seal, acknowledge and deliver any and all documents, agreements and other instruments on behalf of this Municipality in order to accomplish the same.

**RESOLVED:** That the signature of the above authorized party or parties of this Municipality, when affixed to any instrument of document described in, or contemplated by, these resolution, shall be conclusive evidence of the authority of said parties to bind this Municipality, thereby:

5. The foregoing resolutions have not been revoked, annulled, or amended in any manner what so ever, and remain in full force and effect as of the date hereof;
6. The following person or persons have been duly elected to, and now occupy, the Office or Offices indicated:

Municipality Mayor: Exeter Board of Selectmen Chairman Donald Clement

Municipality Clerk: Andrea Kohler

Municipality Treasurer: Allan Corey

**IN WITNESS WHEREOF:** As the Clerk/Secretary of this municipality, I sign below upon this date (insert date of signing) \_\_\_\_\_

Clerk/Secretary (signature) \_\_\_\_\_

In the State and County of: (State and County names) New Hampshire, Rockingham County

**NOTARY STATEMENT:** As Notary Public and/or Justice of the Peace, REGISTERED IN THE

STATE OF: New Hampshire, County of: Rockingham

UPON THIS DATE (insert full date) \_\_\_\_\_, appeared before me (print full name of notary)

\_\_\_\_\_, the undersigned officer personally appeared (Insert officers name) \_\_\_\_\_

who acknowledged him/herself to be (Insert the name of municipality) \_\_\_\_\_ and that being authorized to do so, he/she executed the foregoing instrument for the purposes therein contained, by signing by him/herself in the name of the Municipality

**In witness whereof I hereunto set my hand and official seal. (provide signature, seal and expiration of commission)** \_\_\_\_\_

## EXHIBIT A: SCOPE OF SERVICES

- A.1. The Grantee agrees to provide and maintain supervision of the project by a person or persons, whose professional qualifications meet the criteria of 36 CFR 61 and which have received prior approval of the Division of Historical Resources, and to ensure that the grant-assisted work conforms to the applicable Secretary of the Interior's Standards and Guidelines for Identification. The Grantee also agrees that work performed under this Agreement shall in all respects conform to high professional standards and shall be coordinated with the Division of Historical Resources.
- A.2. It is understood and agreed by the Grantee that costs and/or matching share associated with development of any final products which do not conform to the terms and conditions of this Agreement, or which do not meet the appropriate Secretary of the Interior's Standards, as determined by the State Historic Preservation Officer, shall not be reimbursed.
- A.3. Scope, Products, and Schedule:  
(a) Scope and Products: These shall be as described in, and shall be performed and produced in accordance with, the Project Notification for this project (a copy of which is incorporated into this agreement as item A.4), as approved by the National Park Service, subject to any subsequent modifications or amendments which are approved in writing by the Division of Historical Resources and/or the National Park Service.  
  
(b) Schedule: Begin date: September 30, 2013 and end date: September 30, 2014.  
  
(c) Standards: The applicable Secretary of the Interior's Standards and Guidelines for this contract are those for: Identification.
- A.4. The Project Notification for this project is incorporated into Exhibit A as item A.4.
- A.5. The Grantee understands and agrees that the project scope of work products, budget, and performance/reporting milestones, as approved by the Division of Historical Resources and specified in this Agreement, shall not be changed without prior written approval of the Division of Historical Resources.

## EXHIBIT B: GRANT PRICE AND METHOD OF PAYMENT

- B.1. Compensation to the Grantee for approved project work under this Agreement shall be on a reimbursable matching basis, not to exceed one hundred percent (100%) of the allowable costs and matching share incurred by the Grantee in carrying out the approved project work during the approved project period. Compensation to the Grantee for its own participation in the project shall not include profit, or other increment above cost in the nature of profit. Work is to be performed by the Grantee in conformance with the Scope of Services, as described in Exhibit A above, for federal reimbursement from the Historic Preservation Fund by and through the New Hampshire Division of Historical Resources, for an amount not to exceed **Fourteen Thousand Four Hundred Dollars (\$14,400.00)** subject to:  
  
(a) The Grantee's submission of itemized invoices, and progress reports, on a quarterly basis, in a format specified by the Division of Historical Resources;  
  
(b) The Grantee's submission of a Final Project Report which contains a comparison of the projected Scope and Budget to the actual Scope and Budget; and  
  
(c) The Grantee's completion of approved project work in a manner satisfactory to the Division of Historical Resources.
- B.2. The final payment shall not be less than twenty-five percent (25%) of the total compensation due the Grantee; it shall be retained by the Division of Historical Resources until all of the obligations of the Grantee pursuant to this Agreement have been completed, all necessary documentation of same has been submitted to and approved by the Division of Historical Resources, and all work and products accomplished under this Agreement have been accepted by the Division of Historical Resources.
- B.3. It is expressly understood and agreed that the Grantee shall compile cost documentation in a form and manner specified by the Division of Historical Resources, and that it shall be forwarded to the Division of Historical Resources and retained by the Division for state and federal audits.



**B.4. Invoices and progress reports shall be submitted to the Division of Historical Resources on a quarterly basis as follows:**


**December 31, 2013**  
**March 31, 2014**  
**June 30, 2014**  
**August 1, 2014 Draft Project**  
**September 30, 2014 Final Project Report**

**EXHIBIT C: SPECIAL PROVISIONS**

- C.1. The work performed pursuant to this Agreement is to be treated as non-federal matching share for a Historic Preservation Fund matching grant-in-aid from the National Park Service of the U.S. Department of the Interior, to the State of New Hampshire, by and through the Division of Historical Resources. Under the terms of the grant, the State of New Hampshire and the Division of Historical Resources are administratively responsible for obtaining the Grantee's compliance with all terms of the assistance, with the Historic Preservation Fund program policies and procedures.
- C.2. The Grantee agrees to comply with all applicable federal, state, and local laws, statutes, codes, ordinances, and regulations including Title VI, section 504, and with the Americans with Disabilities Act. In addition to the terms detailed in this Agreement, all federal requirements governing grants and/or contracts are applicable, including Office of Management and Budget Circulars, Revised, A-87 or A-122, A-102 or A-110, and A-128(the Single Audit Act of 1984). The Grantee will submit a copy of the Single Audit for the time period of the Grant as soon as the Audit has been completed. Failure to comply with this condition may affect the Contractor's eligibility to receive future grants.
- C.3. The Grantee agrees to be solely responsible for all bills or claims for payment rendered by any sub consultants, associates, or others, and for all services and materials employed in its work, and to indemnify and save harmless the Division of Historical Resources and all of its officers, agents, employees, and servants, against all suits, claims, or liability of every name and nature arising out of or in consequence of the acts or failures to act of the Grantee and its associates, employees, or sub consultants, in the performance of the work covered by this Agreement. No portion of this Agreement shall be understood to waive the sovereign immunity of the State of New Hampshire.
- C.4. It is specifically agreed between the parties executing this Agreement that it is not intended by any of the provisions of any part of the Agreement to create the public or any member thereof a third party beneficiary hereunder, or to authorize any one not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement. The duties, obligations, and responsibilities of the parties to this Agreement with respect to third parties shall remain as imposed by law.
- C.5. The attached document, "Conditions and Assurances for Historic Preservation Fund Projects," as executed by the Grantee, is incorporated into Exhibit C.

**EXHIBIT D: SUBGRANTEE INFORMATION FORM (attached)**

**TOWN OF EXETER  
MEMORANDUM**

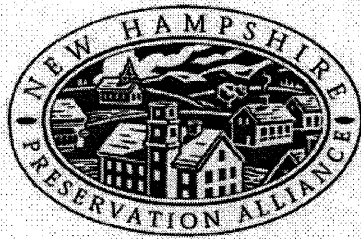
TO: Board of Selectmen  
FROM: Russell Dean, Town Manager   
RE: RSA 79-E  
DATE: July 1, 2013

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At their June meeting, the Economic Development Commission was introduced to RSA 79-E, the Community Revitalization Tax Relief Incentive statute. This statute, according to a review of our town records, has not yet been adopted by Exeter.

This legislation is another tool for the community "economic development toolbox." It is a tax incentive program geared toward downtown enhancement and town centers. It encourages reinvestment through temporary tax relief, after an application and finding of public benefit by the governing body.

By virtue of its adoption, this law may encourage more interest in the redevelopment of downtown Exeter, in keeping with its historic look and feel. A warrant article to the voters would be required with passage by majority vote.



## **RSA 79-E, Community Revitalization Tax Relief Incentive: Fact Sheet**

This legislative proposal encourages investment in downtowns and village centers with a new tax incentive modeled on existing New Hampshire statute (the so-called Barn Bill). Its goals are to *encourage the rehabilitation and active use of under-utilized buildings* and, in so doing, to

- **promote strong local economies and,**
- **promote smart, sustainable growth, as an alternative to sprawl, in accordance with the purpose and objectives of RSA Ch. 9-B (State Economic Growth, Resource Protection, and Planning Policy).**

### **How it works:**

- In a town that has adopted the tool created by this legislation, a property owner who wants to substantially rehabilitate a building located downtown, or in a village center, may apply to the local governing body for a period of temporary tax relief.
- The temporary tax relief, if granted, would consist of a finite period of time during which the property tax on the structure would not increase as a result of its substantial rehabilitation. In exchange for the relief, the property owner grants a covenant ensuring there is a public benefit to the rehabilitation.
- Following expiration of the finite tax relief period, the structure would be taxed at its full market value taking into account the rehabilitation.

### **The legislation offers strong community process and discretion:**

- Any city or town may adopt this program with the majority vote of its legislative body.
- Applications by property owners are made to the governing body and are accompanied by a public notice and public hearing.
- The governing body may grant tax relief if the application meets the guidelines and public benefit test.
- The governing body may deny the application in its discretion: “..such denial shall be deemed discretionary and shall not be set aside by the board or tax and land appeals or the superior court except for bad faith or discrimination.” (79-E:4 V)

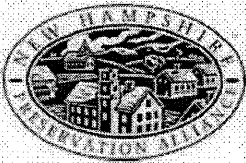
### **Qualifying properties:**

A property owner can apply for the tax relief only if:

- The building is located in the community's downtown district (or equivalent), and
- The rehabilitation costs at least 15% of the building's pre-rehab assessed value, or \$75,000, whichever is less, and
- The rehabilitation is consistent with the municipality's master plan or development regulations.

### **For more information, contact:**

Jennifer Goodman, N.H. Preservation Alliance – 603.224.2281, [jg@nhpreservation.org](mailto:jg@nhpreservation.org)  
Kathy La Plante, N.H. Main Street Center – 603.223.9942, [klaplante@nhmainstreet.org](mailto:klaplante@nhmainstreet.org)



# RSA 79-E Community Revitalization Tax Relief Incentive



Step One: Local Authorization

Board of Selectmen places question on Special or Annual town meeting warrant; may also be placed on warrant by petition (RSA 39:3)

Town Meeting votes on question to allow RSA 79-E tax relief incentives

City or Town Council acts upon proposal to allow RSA 79-E tax relief incentives following procedures required by local charter; or the question may be placed on a municipal election ballot for voter approval

Governing Body (Selectmen or Council) authorized to grant tax relief incentives

Step Two: Application Process

Owner of *qualifying structure* intends to *substantially rehabilitate* it

Owner applies to Governing Body for tax relief incentive

Governing Body holds a *public hearing* within 60 days of application receipt.

3 Questions

**1. Is it a qualifying structure?**  
Located in a district designated by zoning or master plan as a downtown; or if there is no designation, in an area determined by the local governing body to be a downtown, based on compact development patterns

**2. Is the proposed rehabilitation substantial?** Rehab cost  $\geq$  \$75,000 or 15% of structure's assessed valuation, whichever is less

**3. Is there a public benefit?**  
•Downtown economic vitality;  
•Improves a culturally or historically important structure;  
•Promotes downtown development; or  
•Increases downtown housing

**Approval:** no tax increases attributable to the rehabilitation of the structure for a maximum of 5 years from completion of rehab; may be extended 2 years if new housing units are created (4 years if affordable); may be extended 4 years if the structure is historically important

Governing Body decides within 45 days of the hearing. To grant the tax relief, it must find the following: (1) there is a specifically identified public benefit that will be preserved by a *covenant*, and (2) the proposed use is *consistent* with the local master plan or development regulations

**Denial of application** must be accompanied by written explanation; Denial may be appealed to superior court or Board of Tax and Land Appeals

Covenant is recorded; may last 2X the term of tax relief; may include a lien against casualty insurance proceeds

Covenant and lien are released at end of term

**Termination:** the tax relief provided by a municipality may be terminated if the property owner fails to maintain or utilize the property according to the terms of the covenant, or fails to restore, rebuild, or demolish the structure following damage or destruction. The Governing Body holds a public hearing to determine the extent of the diminution of the public benefit; the tax relief may be reduced or terminated; if it is terminated, the property owner is liable for back taxes.

# TITLE V TAXATION

## CHAPTER 79-E COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE

### Section 79-E:1

#### **79-E:1 Declaration of Public Benefit. –**

I. It is declared to be a public benefit to enhance downtowns and town centers with respect to economic activity, cultural and historic character, sense of community, and in-town residential uses that contribute to economic and social vitality.

II. It is further declared to be a public benefit to encourage the rehabilitation of the many underutilized structures in urban and town centers as a means of encouraging growth of economic, residential, and municipal uses in a more compact pattern, in accordance with RSA 9-B.

II-a. In instances where a qualifying structure is determined to possess no significant historical, cultural, or architectural value and for which the governing body makes a specific finding that rehabilitation would not achieve one or more of the public benefits established in RSA 79-E:7 to the same degree as the replacement of the underutilized structure with a new structure, the tax relief incentives provided under this chapter may be extended to the replacement of an underutilized structure in accordance with the provisions of this chapter.

III. Short-term property assessment tax relief and a related covenant to protect public benefit as provided under this chapter are considered to provide a demonstrated public benefit if they encourage substantial rehabilitation and use of qualifying structures, or in certain cases, the replacement of a qualifying structure, as defined in this chapter.

**Source.** 2006, 167:1. 2009, 200:3, 4, eff. July 15, 2009.

### Section 79-E:2

#### **79-E:2 Definitions. –** In this chapter:

I. "Qualifying structure" means a building located in a district officially designated in a municipality's master plan, or by zoning ordinance, as a downtown, town center, central business district, or village center, or, where no such designation has been made, in a geographic area which, as a result of its compact development patterns and uses, is identified by the governing body as the downtown, town center, or village center for purposes of this chapter. Cities or towns may further limit "qualifying structure" according to the procedure in RSA 79-E:3 as meaning only a structure located within such districts that meet certain age, occupancy, condition, size, or other similar criteria consistent with local economic conditions, community character, and local planning and development goals. Cities or towns may further modify "qualifying structure" to include buildings that have been destroyed by fire or act of nature, including where such destruction occurred within 15 years prior to the adoption of the provisions of this chapter by the city or town.

I-a. "Replacement" means the demolition or removal of a qualifying structure and the construction of a new structure on the same lot.

II. "Substantial rehabilitation" means rehabilitation of a qualifying structure which costs at least 15 percent of

the pre-rehabilitation assessed valuation or at least \$75,000, whichever is less. Cities or towns may further limit "substantial rehabilitation" according to the procedure in RSA 79-E:3 as meaning rehabilitation which costs a percentage greater than 15 percent of pre-rehabilitation assessed valuation or an amount greater than \$75,000 based on local economic conditions, community character, and local planning and development goals.

II-a. "Tax increment finance district" means any district established in accordance with the provisions of RSA 162-K.

III. "Tax relief" means:

(a) For a qualifying structure, that for a period of time determined by a local governing body in accordance with this chapter, the property tax on a qualifying structure shall not increase as a result of the substantial rehabilitation thereof.

(b) For the replacement of a qualifying structure, that for a period of time determined by a local governing body in accordance with this chapter, the property tax on a replacement structure shall not exceed the property tax on the replaced qualifying structure as a result of the replacement thereof.

(c) For a qualifying structure which is a building destroyed by fire or act of nature, that for a period of time determined by a local governing body in accordance with this chapter, the property tax on such qualifying structure shall not exceed the tax on the assessed value of the structure that would have existed had the structure not been destroyed.

IV. "Tax relief period" means the finite period of time during which the tax relief will be effective, as determined by a local governing body pursuant to RSA 79-E:5.

**Source.** 2006, 167:1. 2009, 200:5-7. 2010, 329:1, 2. 2011, 237:1, 2, eff. July 5, 2011.

### **Section 79-E:3**

#### **79-E:3 Adoption of Community Revitalization Tax Relief Incentive Program –**

I. Any city or town may adopt or modify the provisions of this chapter by voting whether to accept for consideration or modify requirements for requests for community revitalization tax relief incentives. Any city or town may do so by following the procedures in this section.

II. In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition under RSA 39:3.

III. In a city or town that has adopted a charter under RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such municipality may vote to place the question on the official ballot for any regular municipal election.

IV. If a majority of those voting on the question vote "yes," applications for community revitalization tax relief incentives may be accepted and considered by the local governing body at any time thereafter, subject to the provisions of paragraph VI of this section.

V. If the question is not approved, the question may later be voted on according to the provisions of paragraph II or III of this section, whichever applies.

VI. The local governing body of any town or city that has adopted this program may consider rescinding its action in the manner described in paragraph II or III of this section, whichever applies. A vote terminating the acceptance and consideration of such applications shall have no effect on incentives previously granted by the city or town, nor shall it terminate consideration of applications submitted prior to the date of such vote.

**Source.** 2006, 167:1. 2010, 329:3, eff. July 20, 2010.



## Section 79-E:4

### 79-E:4 Community Revitalization Tax Relief Incentive. –

I. An owner of a qualifying structure who intends to substantially rehabilitate or replace such structure may apply to the governing body of the municipality in which the property is located for tax relief. The applicant shall include the address of the property, a description of the intended rehabilitation or replacement, any changes in use of the property resulting from the rehabilitation or replacement, and an application fee.

I-a. In order to assist the governing body with the review and evaluation of an application for replacement of a qualifying structure, an owner shall submit to the governing body as part of the application, a New Hampshire division of historical resources individual resource inventory form, prepared by a qualified architectural historian and a letter issued by the local heritage commission and if the qualifying structure is located within a designated historic district established in accordance with RSA 674:46, a letter from the historic district commission or, if such local commissions are not established, a letter issued by the New Hampshire division of historical resources that identifies any and all historical, cultural, and architectural value of the structure or structures that are proposed to be replaced and the property on which those structures are located. 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 structure as required under RSA 79-E:4, II until the inventory form and the letter, as well as all other required information, have been submitted.

II. Upon receipt of an application, the governing body shall hold a duly noticed public hearing to take place no later than 60 days from receipt of the application, to determine whether the structure at issue is a qualifying structure; whether any proposed rehabilitation qualifies as substantial rehabilitation; and whether there is a public benefit to granting the requested tax relief and, if so, for what duration.

III. No later than 45 days after the public hearing, the governing body shall render a decision granting or denying the requested tax relief and, if so granting, establishing the tax relief period.

IV. (a) The governing body may grant the tax relief, provided:

(1) The governing body finds a public benefit under RSA 79-E:7; and

(2) The specific public benefit is preserved through a covenant under RSA 79-E:8; and

(3) The governing body finds that the proposed use is consistent with the municipality's master plan or development regulations; and

(4) In the case of a replacement, the governing body specifically finds that the local heritage commission or historic district commission or, if such local commissions are not established, the New Hampshire division of historical resources has determined that the replaced qualifying structure does not possess significant historical, cultural, or architectural value, the replacement of the qualifying structure will achieve one or more of the public benefits identified in RSA 79-E:7 to a greater degree than the renovation of the underutilized structure, and the historical, cultural, or architectural resources in the community will not be adversely affected by the replacement. In connection with these findings, the governing body may request that the division of historical resources conduct a technical evaluation in order to satisfy the governing body that historical resources will not be adversely affected.

(b) If the governing body grants the tax relief, the governing body shall identify the specific public benefit achieved under RSA 79-E:7, and shall determine the precise terms and duration of the covenant to preserve the public benefit under RSA 79-E:8.

V. If the governing body, in its discretion, denies the application for tax relief, such denial shall be accompanied by a written explanation. The governing body's decision may be appealed either to the board of tax and land appeals or the superior court in the same manner as provided for appeals of current use classification pursuant to RSA 79-A:9 or 79-A:11 provided, however, that such denial shall be deemed discretionary and

shall not be set aside by the board of tax and land appeals or the superior court except for bad faith or discrimination.

VI. Municipalities shall have no obligation to grant an application for tax relief for properties located within tax increment finance districts when the governing body determines, in its sole discretion, that the granting of tax relief will impede, reduce, or negatively affect:

- (a) The development program or financing plans for such tax increment finance districts; or
- (b) The ability to satisfy or expedite repayment of debt service obligations incurred for a tax increment financing district; or
- (c) The ability to satisfy program administration, operating, or maintenance expenses within a tax increment financing district.

**Source.** 2006, 167:1. 2009, 200:8-11, eff. July 15, 2009.

## **Section 79-E:5**

### **79-E:5 Duration of Tax Relief Period. –**

I. The governing body may grant such tax assessment relief for a period of up to 5 years, beginning with the completion of the substantial rehabilitation.

I-a. For the approval of a replacement of a qualifying structure, the governing body may grant such tax assessment relief for a period of up to 5 years, beginning only upon the completion of construction of the replacement structure. The governing body may, in its discretion, extend such additional years of tax relief as provided for under this section, provided that no such additional years of tax relief may be provided prior to the completion of construction of the replacement structure. The municipal tax assessment of the replacement structure and the property on which it is located shall not increase or decrease in the period between the approval by the governing body of tax relief for the replacement structure and the time the owner completes construction of the replacement structure and grants to the municipality the covenant to protect the public benefit as required by this chapter. The governing body may not grant any tax assessment relief under this chapter with respect to property and structures for which an election has been made for property appraisal under RSA 75:1-a.

II. The governing body may, in its discretion, add up to an additional 2 years of tax relief for a project that results in new residential units and up to 4 years for a project that includes affordable housing.

III. The governing body may, in its discretion, add up to an additional 4 years of tax relief for the substantial rehabilitation of a qualifying structure that is listed on or determined eligible for listing on the National Register of Historic Places, state register of historic places, or is located within and important to a locally designated historic district, provided that the substantial rehabilitation is conducted in accordance with the U.S. Secretary of Interior's Standards for Rehabilitation.

IV. The governing body may adopt local guidelines to assist it in determining the appropriate duration of the tax assessment relief period.

**Source.** 2006, 167:1. 2009, 200:12. 2010, 329:4, eff. July 20, 2010.

## **Section 79-E:6**

**79-E:6 Resumption of Full Tax Liability. –** Upon expiration of the tax relief period, the property shall be taxed at its market value in accordance with RSA 75:1.



**Source.** 2006, 167:1, eff. April 1, 2006.

### **Section 79-E:7**

**79-E:7 Public Benefit.** – In order to qualify for tax relief under this chapter, the proposed substantial rehabilitation must provide at least one of the public benefits, and the proposed replacement must provide one or more of the public benefits to a greater degree than would a substantial rehabilitation of the same qualifying structure, as follows:

- I. It enhances the economic vitality of the downtown;
- II. It 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;
- III. It promotes development of municipal centers, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B; or
- IV. It increases residential housing in urban or town centers.

**Source.** 2006, 167:1. 2009, 200:13, eff. July 15, 2009.

### **Section 79-E:7-a**

**79-E:7-a Public Benefit Determinations.** – Cities or towns may adopt according to the procedure in RSA 79-E:3 provisions that further define the public benefits enumerated in RSA 79-E:7 to assist the governing body in evaluating applications made under this chapter based on local economic conditions, community character, and local planning and development goals.

**Source.** 2010, 329:5, eff. July 20, 2010.

### **Section 79-E:8**

**79-E:8 Covenant to Protect Public Benefit.** –

I. Tax relief for the substantial rehabilitation or replacement of a qualifying structure shall be effective only after a property owner grants to the municipality a covenant ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and as otherwise provided in this chapter.

II. The covenant shall be coextensive with the tax relief period. The covenant may, if required by the governing body, be effective for a period of time up to twice the duration of the tax relief period.

III. The covenant shall include provisions requiring the property owner to obtain casualty insurance, and flood insurance if appropriate. The covenant may include, at the governing body's sole discretion, a lien against proceeds from casualty and flood insurance claims for the purpose of ensuring proper restoration or demolition of damaged structures and property. If the property owner has not begun the process of restoration, rebuilding, or demolition of such structure within one year following damage or destruction, the property owner shall be subject to the termination of provisions set forth in RSA 79-E:9, I.

IV. The local governing body shall provide for the recording of the covenant to protect public benefit with the registry of deeds. It shall be a burden upon the property and shall bind all transferees and assignees of such property.

V. The applicant shall pay any reasonable expenses incurred by the municipality in the drafting, review, and/or

execution of the covenant. The applicant also shall be responsible for the cost of recording the covenant.

**Source.** 2006, 167:1. 2009, 200:14, eff. July 15, 2009.

### **Section 79-E:9**

#### **79-E:9 Termination of Covenant; Reduction of Tax Relief; Penalty. –**

I. If the owner fails to maintain or utilize the building according to the terms of the covenant, or fails to restore, rebuild, or demolish the structure following damage or destruction as provided in RSA 79-E:8, III, the governing body shall, after a duly noticed public hearing, determine whether and to what extent the public benefit of the rehabilitation or replacement has been diminished and shall determine whether to terminate or reduce the tax relief period in accordance with such determination. If the covenant is terminated, the governing body shall assess all taxes to the owner as though no tax relief was granted, with interest in accordance with paragraph II.

II. Any tax payment required under paragraph I shall be payable according to the following procedure:

(a) The commissioner of the department of revenue administration shall prescribe and issue forms to the local assessing officials for the payment due, which shall provide a description of the property, the market value assessment according to RSA 75:1, and the amount payable.

(b) The prescribed form shall be prepared in quadruplicate. The original, duplicate, and triplicate copy of the form shall be given to the collector of taxes for collection of the payment along with a special tax warrant authorizing the collector to collect the payment under the warrant. The quadruplicate copy of the form shall be retained by the local assessing officials for their records.

(c) Upon receipt of the special tax warrant and prescribed forms, the tax collector shall mail the duplicate copy of the tax bill to the owner responsible for the tax as the notice of payment.

(d) Payment shall be due not later than 30 days after the mailing of the bill. Interest at the rate of 18 percent per annum shall be due thereafter on any amount not paid within the 30-day period. Interest at 12 percent per annum shall be charged upon all taxes that would have been due and payable on or before December 1 of each tax year as if no tax relief had been granted.

**Source.** 2006, 167:1. 2009, 200:15, eff. July 15, 2009.

### **Section 79-E:10**

**79-E:10 Lien for Unpaid Taxes. –** The real estate of every person shall be held for the taxes levied pursuant to RSA 79-E:9.

**Source.** 2006, 167:1, eff. April 1, 2006.

### **Section 79-E:11**

**79-E:11 Enforcement. –** All taxes levied pursuant to RSA 79-E:9 which are not paid when due shall be collected in the same manner as provided in RSA 80.

**Source.** 2006, 167:1. 2007, 42:3, eff. July 20, 2007.

### **Section 79-E:12**

**79-E:12 Rulemaking.** – The commissioner of the department of revenue administration shall adopt rules, pursuant to RSA 541-A, relative to the payment and collection procedures under RSA 79-E:9.

**Source.** 2006, 167:1, eff. April 1, 2006.

### **Section 79-E:13**

#### **79-E:13 Extent of Tax Relief.** –

I. (a) Tax relief granted under this chapter shall pertain only to assessment increases attributable to the substantial rehabilitation performed under the conditions approved by the governing body and not to those increases attributable to other factors including but not limited to market forces; or

(b) Tax relief granted under this chapter shall be calculated on the value in excess of the original assessed value. Original assessed value shall mean the value of the qualifying structure assessed at the time the governing body approves the application for tax relief and the owner grants to the municipality the covenant to protect public benefit as required in this chapter, provided that for a qualifying structure which is a building destroyed by fire or act of nature, original assessed value shall mean the value as of the date of approval of the application for tax relief of the qualifying structure that would have existed had the structure not been destroyed.

II. The tax relief granted under this chapter shall only apply to substantial rehabilitation or replacement that commences after the governing body approves the application for tax relief and the owner grants to the municipality the covenant to protect the public benefit as required in this chapter, provided that in the case of a qualifying structure which is a building destroyed by fire or act of nature, and which occurred within 15 years prior to the adoption of the provisions of this chapter by the city or town, the tax relief may apply to such qualifying structure for which replacement has begun, but which has not been completed, on the date the application for relief under this chapter is approved.

**Source.** 2006, 167:1. 2010, 329:6. 2011, 237:3, eff. July 5, 2011.

### **Section 79-E:14**

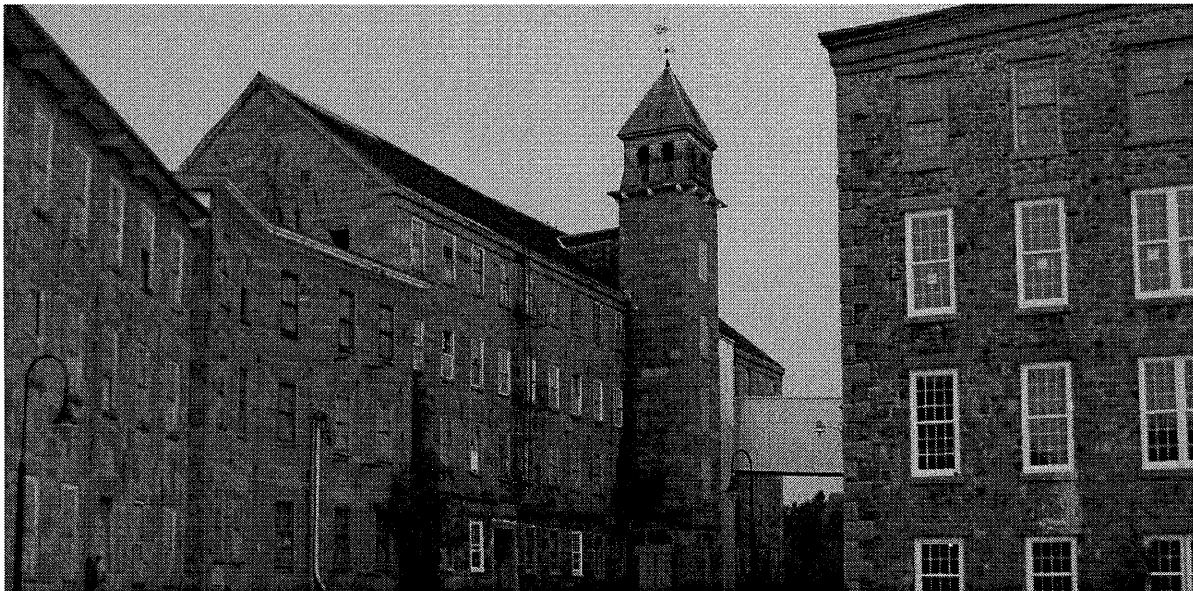
**79-E:14 Other Programs.** – The provisions of this chapter shall not apply to properties whose rehabilitation or construction is subsidized by state or federal grants or funds that do not need to be repaid totaling more than 50 percent of construction costs from state or federal programs.

**Source.** 2006, 167:1, eff. April 1, 2006.

Road, which were redeveloped and sold in 2001. Today, that complex is known as “Bryant Rock” and houses 36 condominium and rental units. The Newmarket mills are an integral part of the historic town center and main business district in Newmarket. The downtown is the driving economic engine of Newmarket. Existing uses include retail shops, professional and personal services, Town offices, the post office, churches, parks and residences. The Town’s public library is located on the corner of Elm and Main Street across from the mills.

In 2009, the NCDC selected Newmarket Mills, LLC to redevelop the two historic mills on the east side of the Lamprey River. The development plan includes 120 units of residential units, including 16 artist live/work lofts, 35,000 square feet of commercial/retail space, and 5,000 square feet of civic space devoted to the arts and culture. The mill redevelopment project will include extensive public amenities, including a terraced courtyard, and various connections with the downtown, and a riverwalk along the Lamprey River. The second phase of the project involves development of 30,000 square feet of commercial/retail space and construction of a parking structure. Recently, the Town has received a transportation enhancement grant to construct an enclosed pedestrian bridge to connect the Newmarket Mills, with parking on the westerly side of Main Street.

As part of the project the Newmarket Mills LLC submitted an application to the Newmarket Town Council for Tax Relief for a three year period under Chapter 79-E, ***Community Revitalization Tax Relief Incentive***. This process was widely supported, by the Town Council and Planning Board. Given the economic realities of the real estate market and the tightening of underwriting requirements, this mechanism proved to be an effective tool to help the raise the equity that was needed in order to make this project financially feasible for the developer from a lending perspective. The project was also financed through private financing, federal historic preservation tax credits and “New Market” tax credits available through the New Hampshire Business Finance Authority.



Newmarket Mills Redevelopment, 2011  
Source: *Strafford Regional Planning Commission*



# Community Revitalization Tax Relief Incentive (RSA 79-E)

On March 8, 2011, the Goffstown voters passed article 11: the Community Revitalization Tax Relief Incentive, (RSA 79-E). This incentive encourages the redevelopment of properties within Pinardville and the Village, providing significant tax relief on improvements made to existing buildings or selected properties in these areas.

The way it works is simple.

If a redevelopment project will result in a substantial rehabilitation (at least \$75,000 or 15% of the total existing assessed value), any new taxable value directly generated by the renovation could be free from the levying of property taxes for the following periods:

- Up to 5 years for a substantial rehabilitation.
- Up to 2 additional years for new residential units.
- Up to 4 additional years for affordable residential units.
- Up to 4 additional years for a property listed or eligible to list on the National Register of Historic places.

The savings can be considerable and the application is simple. In most cases, you just provide an itemized cost of construction and basic property information and submit a nominal application fee. The Board of Selectmen will ultimately make a determination as to the award at a public hearing.

If you would like to find out what projects qualify for this relief and more about the application process please contact Derek Home at 497-8990 ext. 119 or at [Dhorne@GoffstownNH.gov](mailto:Dhorne@GoffstownNH.gov).

[APPLICATION FORM - Community Revitalization Tax Relief Incentive](#)

Sample



## **Town of Goffstown, NH Community Revitalization Tax Relief Incentive**

### **Application Instructions**

#### **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 the Goffstown Economic Development Coordinator at 497-8990 x 119.

Thank you for your interest in the Community Revitalization Tax Relief Incentive, and good luck with your application and restoration project.



Sample

# TOWN OF GOFFSTOWN

## COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE (RSA 79-E) APPLICATION FORM

**OFFICE USE ONLY**  
(do not write in shaded area)

Date Application Submitted: \_\_\_\_\_

Received by: \_\_\_\_\_

### Building Information

Building Name (if any): \_\_\_\_\_

Building Address: \_\_\_\_\_

Goffstown Tax Map: \_\_\_\_\_ Lot: \_\_\_\_\_ Zoning District: \_\_\_\_\_ HCRD Book: \_\_\_\_\_ Page: \_\_\_\_\_

**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, recommendations, staff reports, and will communicate all case information to 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:** \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Owner's Name:** \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

### Existing Building Information

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

\_\_\_\_\_

\_\_\_\_\_

Gross Square Footage of Building: \_\_\_\_\_ Year Building was Built: \_\_\_\_\_

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 a locally designated historic district?  Yes  No

Sample

**Project Description**

Proposed Uses (describe use, size, and number of 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 an 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 Goffstown Historic District Commission that identifies any and all historical, cultural, and architectural value of the structure or structures that are proposed to be replaced and the 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 structure as required under RSA 79-E:4, II until the inventory form and the letter, as well as all other required information, have been submitted, if required.



Sample

**Public Benefit (RSA 79:E-7)**

In order to qualify for tax relief under this program, the proposed substantial rehabilitation must provide at least one of the public benefits listed below. Any proposed replacement must provide one or more of the public benefits listed below to a greater degree than would a substantial rehabilitation of the same qualifying structure.

Does the project provide the following public benefits?  
(Check all that apply)

- Enhances the economic vitality of the designated area.

Yes  No

If yes, please describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- Enhances and improves a culturally or historically important structure.

Yes  No

If yes, please describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- Promotes development of the designated area, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B.

Yes  No

If yes, please describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- It increases residential housing in urban or town centers.

Yes  No

If yes, please describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Other issues and matters applicant deems relevant to this request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sample

**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, renderings, or photographs that will help explain this application.

Structural: _____ _____ _____ _____	\$
Electrical: _____ _____ _____ _____	\$
Plumbing/Heating: _____ _____ _____ _____	\$
Mechanical: _____ _____ _____ _____	\$
Other: _____ _____ _____ _____	\$
<b>Total Estimated Project Cost:</b>	<b>\$0.00</b>

Expected project start date: \_\_\_\_\_ Expected project completion date: \_\_\_\_\_

Sample

**Applicant/Owner Signature**

To qualify for this tax relief incentive, the costs of 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: \_\_\_\_\_

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: \_\_\_\_\_

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: \_\_\_\_\_

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

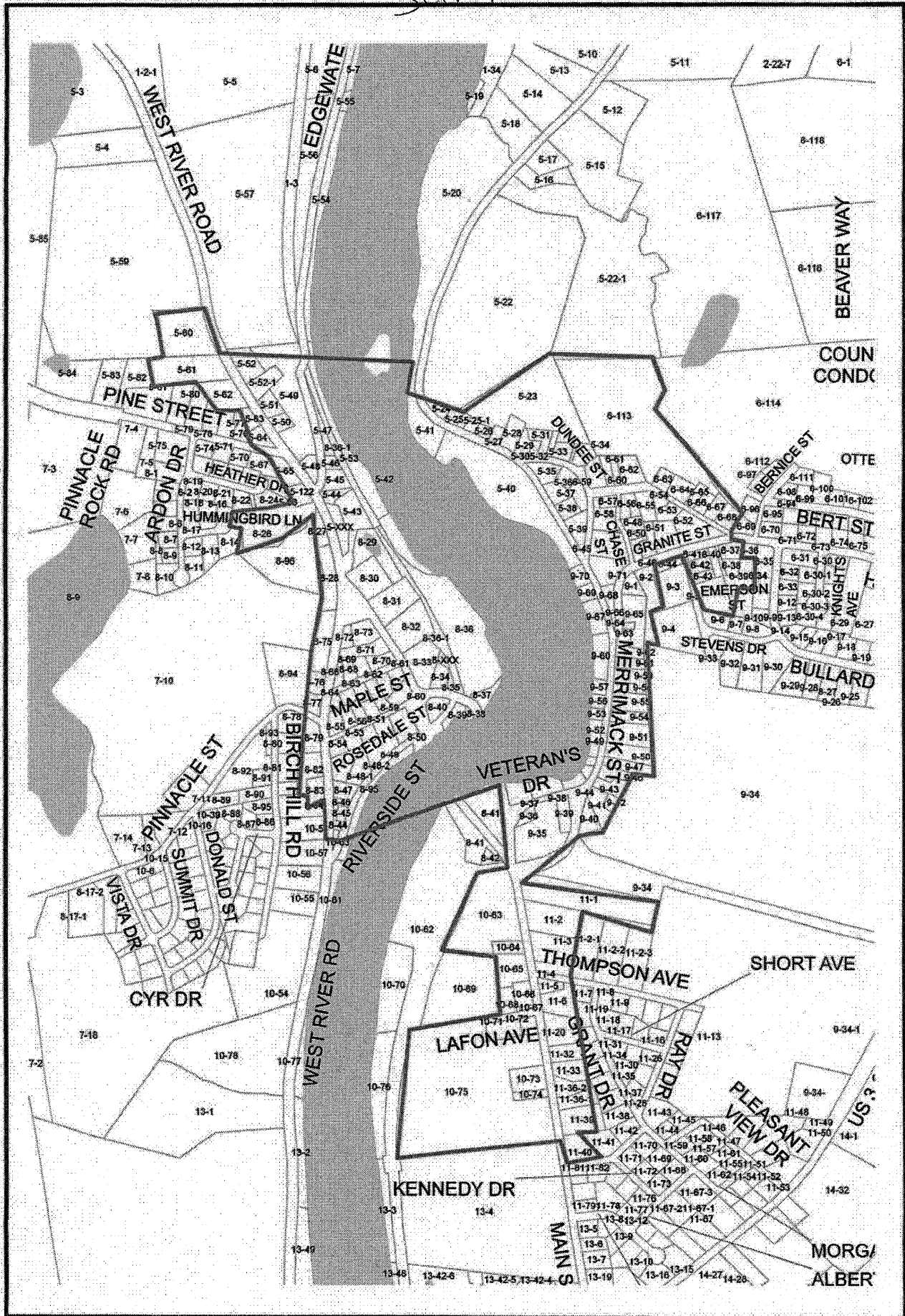
\_\_\_\_\_  
Signature (printed name) Date

\_\_\_\_\_  
Signature (printed name) Date

\_\_\_\_\_  
Signature (printed name) Date

\_\_\_\_\_  
Signature (printed name) Date

Sample



**TOWN OF EXETER  
MEMORANDUM**

TO: Board of Selectmen  
FROM: Russ Dean *RD*  
RE: Social Media Policy  
DATE: July 1, 2013

---

As the Town increases its visibility through various social media avenues, the time is likely right to pursue a policy at the Town level which describes what will be acceptable regarding the Town's social media presence.

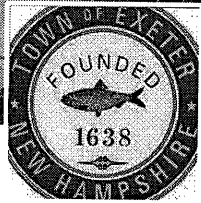
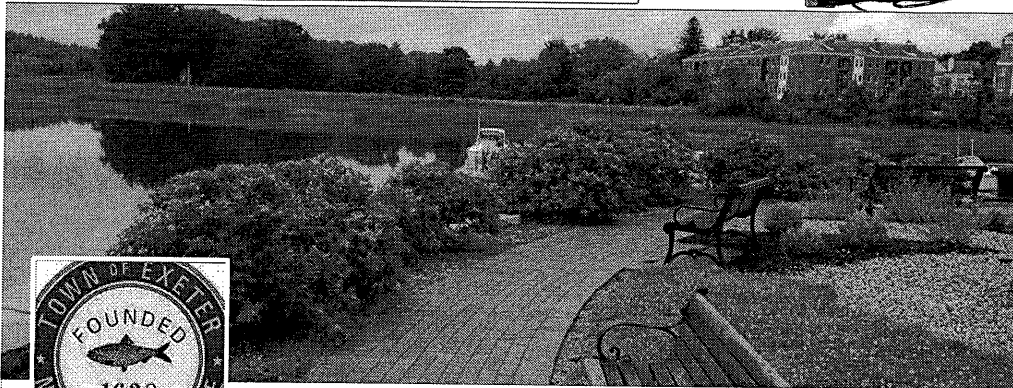
Currently, the Town has several departments who have a facebook presence. These include Exeter Public Library, the Department of Public Works, the Exeter Police Department, Parks/Recreation, and the Town of Exeter page. We have found the use of social media very helpful for getting out information regarding town events, town happenings, work being done in the Town, and activities of our departments. Each page has a mission statement that speaks to posting requirements of staying on topic, and not engaging in personal attacks. Overall, our presence has been very well received, and Town residents and others, include those that may have lived in the Town years ago, keep up actively with Exeter using social media.

The basic rule of thumb with social media sites is to allow for the maximum amount of flexibility for postings. However there is a need to monitor the most problematic types of postings that could appear on a page. Thus far, the Town has had very little problem with individual postings and again most are very positive. We want to continue citizens to use social media to ask questions about our services and activities happening within town government.

It should be kept in mind that social media from the Town of Exeter has evolved organically, from the bottom up. Departments have done a very good job setting up their sites and testing different things in response to citizens and a desire to spread information. We have purposely tried to keep it "light" as the day to day monitoring of social media can be a burdensome process if any policy that is adopted is too restrictive. Our intent is not to attempt to create full time positions dedicated to this service, but to ask those in our departments to embrace the medium and continue to do a great job getting the word out about town events. Evolving in this manner has been overwhelmingly positive. Therefore, I would ask the Board consider keeping the policy as simple as possible, covering only "major items," so the free flow of information can continue with an emphasis on quality of content and messaging, and less on policing or regulating.

Search for people, places and things

Find Friends Home Denise Maynard- Buchanan likes The Heat's photo.



Town of Exeter, NH 2,982 likes · 84 talking about this · 3,301 were here

Like Message

Government Organization · Education Population (2010 Census): 14,306. Located off Exit 2, Route 95 North, NH Seacoast. Founded 1638 by the Reverend John Wheelwright.

About - Suggest an Edit

Photos

Likes

Map

Events

2,982 Likes Map

Highlights

Post Photo / Video

Write something...

Town of Exeter, NH 22 hours ago

Second rendering. Note the wall shown in the "after" photo is already constructed as part of the redevelopment of the Green Bean.



Like · Comment · Share

11 people like this. View 1 more comment

Matt Greene Also, are there additional erosion concerns or plans involved in this? 5 hours ago · Like · 1

Frank Patterson A growing number of communities across the US - large and small, urban and rural - are removing obsolete dams, restoring fisheries, developing riverside parks and trails and finding economic benefits. Experiences from other projects can be applied to Exeter's Great Falls. Witnessing the power of nature to re-establish a balanced ecosystem would be an experience of a lifetime. 3 hours ago · Like

Write a comment...

Suggest Town of Exeter, NH to Your Friends

See All

- April Jaeger McNab Invite Audrey Vorce Invite Markedsel Dokbooma Dehmer Invite

Recent Posts by Others on Town of Exeter, NH

See All

- Kyle S. Glówacky Town of Exeter, NH view from the Squamscott River 10 hours ago Christine McKenzie Is the dam going to be opened, there has been a flood war... 1 · Yesterday at 11:18am Christine McKenzie WHY ISN'T THE DAM OPEN???? There is supposed to be qu... 1 · June 10 at 5:30pm

More Posts

Likes

See All

- Exeter Patch Media/News/Publishing Like Exeter Public Library NH Government Organization · Library Like Exeter, NH Public Works Government Organization Like Exeter's 375th Community Like Seacoastonline.com Media/News/Publishing Like Town of Exeter, NH 22 hours ago

Create Post Finn D. Kelly commented on Miniature War Games's photo: "Heeey, Alpharius! Whatup? It's..." See All

Sponsored Verizon Wireless Brendan Tedstone likes that solutions.v Michael Tonosian recommended Lieutenant Wallace Albert Jr. Interacted with you in Boston MA Community View Profile Stations. Everything plan to be \$10/month. Finn D. Kelly likes Miniature War Games's photo.

Save on K... Finn D. Kelly commented on Princess Zelda's photo: "Health your Keurig brewer? Visit our coupon tab to..." Finn D. Kelly likes Princess Fucking Zelda's photo.

435,947 people like Brew Over Ice. Find the Right Candidates Show Older hiring.monster.com

Match people to your opportunities faster and better than ever before on Monster.com.

Now

- 2012 2011 2010 2009

Founded

- Cyndy Cusack Finn D. Kelly Lisa Zani Stratton Christina Poole Shelly Gates Andrea Nash Moshier Donald F Patch Jamie Boughner Denise Maynard- Buchanan Brendan Tedstone MORE FRIENDS (5) Bill Brooks Keith Manchester

Search

Search for people, places and things

Create Page



### Exeter Parks and Recreation

859 likes · 49 talking about this · 73 were here

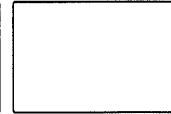
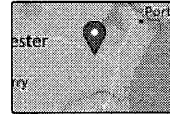
Liked

- Now
- 2013
- 2012
- 2011
- 2010
- Opened

Recreation Center · Government Organization  
 32 Court St, Exeter, NH.  
 (603) 773-6151  
 ● Today 8:15 am - 4:15 pm



859



2

About - Suggest a Change

Photos

Likes

Map

Join My List

#### Highlights

Exeter Parks and Recreation shared a link. 27 minutes ago

It's that time again...Flag football season is almost here. Registration ends 7/19. <http://ow.ly/h8uHO>

**NFL Flag Football League | Town of Exeter New Hampshire Official Website**  
[ow.ly](http://ow.ly)

Sponsored by Access Sports, Exeter Parks and Recreation is proud to offer you NFL Flag. NFL Flag is a flag football program for boys and girls,...

Like · Comment · Share

Exeter Parks and Recreation shared a link. about an hour ago

Enjoy Lobster, seafood, and a Broadway show at Foster's in Maine at Broadway & the Feast. Event is August 15th. <http://ow.ly/heKCK>

<http://ow.ly/heKCK>  
[ow.ly](http://ow.ly)

Like · Comment · Share

Exeter Parks and Recreation 4 hours ago via mobile

Likes

See All

- Powderkeg Beer and Chili Fest Community Like
- AirZone Capt. LizAird Sports & Recreation Like
- Exeter Public Access Tv-98 Media/News/Publishing Like
- Exeter Youth Soccer Association Sports League Like
- 12th Great Bay Scouts, Baden-Powell Service Association Community Like

Exeter Parks and Recreation 2 hours ago

Planning a trip to Water Country this summer? Purchase your tickets here at the Parks and Recreation office.

Like · Comment · Share

Exeter Parks and Recreation shared a link. 3 hours ago

Tom Jones is a legend and an icon in the entertainment world. Come check out his tribute show on 9/24. <http://ow.ly/helvp>

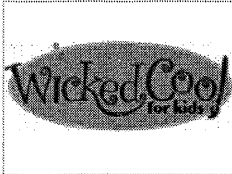


Weather won't stop us from rocking to Ben Rudnick and Friends at the Talbot Gym (tuck learning center) today at 12! Please enter through the front door!

Like · Comment · Share

 **Exeter Parks and Recreation** shared a link. 23 hours ago


Explore into the world of energy and what makes things move in Energy Explorers camp. Register today! <http://ow.ly/h6duq>



**Enrichment Programs for Elementary & Middle School kids**  
ow.ly

Education company specialized in customized enrichment programs in science, art and technology for kids

Like · Comment · Share

 **Exeter Parks and Recreation** Yesterday

Looks like the weather is going to hold off. Entrain will be performing tonight at Swasey Parkway at 6pm. Get ready to get groovin'!

Like · Comment · Share

Debby Pawlencio, Carisa Opland, Audra Cohen Dickinson and 6 others like this.




Write a comment...



Like · Comment · Share

**Tom Jones Tribute | Best Of Times Travel**  
ow.ly

 **Exeter Parks and Recreation** 23 hours ago


Ben Rudnick & Friends concert has been moved indoors to the Talbot Gym over on 30 Linden Street. If you plan on attending, please enter the gym in the street side entrance. The show is still planned for Friday, 6/28 at noon. Thanks!

Like · Comment · Share

Buxton Oil, Yvonne Legge and B\*G\*MAKEOVERS like this.



Write a comment...

 **Exeter Parks and Recreation** Yesterday

Join us for an adventurous day out to see Maine's beauty and magnificence. We will be embarking on a Maine Lobsterbake & Lighthouse Tour on 8/29

Like · Comment · Share

[See More Recent Stories](#)



Search for people, places and things

Create Page



Now  
2011  
Joined Facebook



### Exeter(NH) Police Department

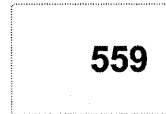
559 likes · 25 talking about this

Liked

Government Organization  
EPD is here to connect with the community. The opinions expressed by visitors to the page(s) do not reflect the opinions of the department. EPD reserves the right to remove obscenities, off-topic comment and personal attacks



Photos



Likes

559

About - Suggest a Change

Highlights

Post Photo / Video

Write something...

**Exeter(NH) Police Department**  
June 24

Exeter PD's DWI arrests as of 6/22/13 = 21

Like · Comment · Share

David Leatherbee and Debra Duckworth like this.


 Write a comment...

**Exeter(NH) Police Department** shared Exeter(NH) Police Department's album.  
June 18

DARE BBQ 2013


**DARE BBQ 2013** (4 photos)

Recent Posts by Others on Exeter(NH) Police Department See All

 **Exeter Dispatchers**  
The Exeter Police Dept Successfully tested the Code Red ...  
1 · April 29 at 12:10pm

Likes


 **The Thin Blue Line**  
Organization Like


 **Exeter(NH) Police Department**  
June 19

Just a friendly reminder with the warm weather approaching to keep your vehicles and residences locked to prevent being a victim of a crime.

Like · Comment · Share

Michelle Lagasse, Claire Josephs Houston, Greg Elwood and 2 others like this.

 Write a comment...

 **Exeter(NH) Police Department**  
June 13

A big congratulations to the following Exeter PD employees:

Sgt Michael Munck - 15 years of service


Sgt. Steven Bolduc - 10 years of service





Like · Comment · Share

Brandon Stauber, Jen Shupe, Emily Crosby and 6 others like this.

View 1 more comment

 **Julie Burgess Labonte** Thank you!  
June 18 at 3:49pm via mobile · Like

 **Frank Ferraro** Great job EPD!!!!  
June 18 at 3:50pm · Like

 Write a comment...

 **Exeter(NH) Police Department** shared a link.  
June 7





**Police: 'Devastating' missing girl case is not cold | SeacoastOnline.com**  
[www.seacoastonline.com](http://www.seacoastonline.com)

EXETER — It has been 29 years since Jim Valiquet was an Exeter police detective assigned to organize a search for fourth-grader Tammy Belanger, who

Like · Comment · Share

Jen Shupe likes this.

 Write a comment...

 **Exeter(NH) Police Department**  
May 22

Reminder to all Exeter residents - Please lock your cars, even during the day. There has been an increase in car phishing and thefts from motor vehicles, with reports coming in from several different neighborhoods.

Like · Comment · Share

12 3 29

Officer Nathan Goard - 5 years of service

Dispatcher A.J. Dickens - 5 years of service


Thank you all for your dedication to this department, your service is greatly appreciated!


Like · Comment · Share

1


Home Instead Senior Care Central NH, Felicia Donovan, Debra Duckworth and 16 others like this.

View 1 more comment

 **Stephanie Callahan** Thank you!  
June 13 at 10:54pm via mobile · Like

 **Brenda Larochelle Gallagher** How great to post this and acknowledge their years of service!  
June 14 at 6:49am · Like · 1

 Write a comment...

 **Exeter(NH) Police Department**  
June 11

To all Exeter Residents who own dogs;

Today, June 11th 2013, there are still 581 unregistered dogs in the town of Exeter. The deadline for registering dogs was April 30th.

The Town Clerk has taken the following steps so far to encourage all dog owners to register their pets:


1. Two reminder emails to those residents that have provided email addresses
2. A reminder postcard to those residents th... See More

Like · Comment · Share

3

Debra Duckworth, Jim Joseph and 2 others like this.

 Write a comment...

 **Exeter(NH) Police Department**  
June 3

Exeter Police Department's newest officer, Evan Nadeau, was sworn in this morning by Town Clerk Andie Kohler. Welcome Officer Nadeau!



Like · Comment · Share

Rebecca Johnson, Michelle Lagasse, Jayne Howard and 34 others like this.



Write a comment...

[See More Recent Stories](#)

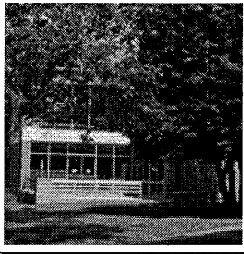
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Facebook © 2013 · English (US)

Search for people, places and things

Create Page

Now  
2011  
Founded

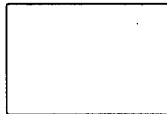


# Exeter Public Library NH

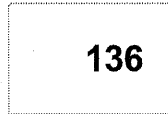
136 likes · 3 talking about this · 83 were here

Liked

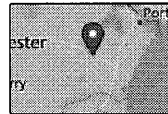
Government Organization · Library  
Welcome to the Exeter Public Library.



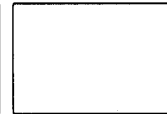
Photos



Likes



Map



Events

About - Suggest a Change

Highlights

## Post

Write something...

**Exeter Public Library NH**  
June 11

Summer Reading for both teens and adults begins June 24.

Like · Comment · Share

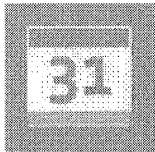
1

Dave Hersam, Debbie Cox, Pam Colburn Harland and 2 others like this.



Write a comment...

**Exeter Public Library NH** created an event.  
April 10



**Music Series: Peg & Cheryl**  
April 16 at 1:00pm  
Exeter Public Library NH in Exeter, New Hampshire  
Exeter Public Library NH went

Like · Comment · Follow Post

**Exeter Public Library NH**  
April 10

Thank you to Maureen Barrows and the David Barrows Adventure Fund of the NH Charitable Foundation for sponsoring 18 holes of miniature golf at the library!!!

Like · Comment · Share

2 1

**Exeter Public Library NH** shared a status.  
March 21

April 5 at 6:30 pm. Teens, play 18 holes of miniature golf in the library. Raffles and food. You do not have to be a member of the library to play but you must be between the ages of 12 and 18. Funding for this program is provided by the David Barrows

## Recent Posts by Others on Exeter Public Library NH

See All



**Angela Johnston Thibeau**  
do you have season five of the supernatural tv show dvd  
May 9 at 3:29pm



**Laura Martin Gowing**  
The Exeter Historical Society and Exeter Public Library NH...  
March 31, 2012 at 10:49am

More Posts

## Likes



**Exeter Historical Society**  
Museum · Historical Place



**Exeter Public Library, Children's Room**  
Library



**Town of Exeter, NH**  
Government Organization · Education



**Exeter Area Chamber of Commerce**  
Local Business



**Exeter Public Library - Teen Scene**  
Community & Government

Like



**Exeter Public Library NH**  
April 10

## Untitled Album (5 photos)

Mini Golf

Adventure Fund of the New Hampshire Charitable Foundation. Call for more information.

Like · Comment · Share

**Exeter Public Library NH**  
March 21

April 5 at 6:30 pm. Teens, play 18 holes of miniature golf in the library. Raffles and food. You do not have to be a member of the library to play but you must be between the ages of 12 and 18. Funding for this program is provided by the David Barrows Adventure Fund of the New Hampshire Charitable Foundation. Call for more information.

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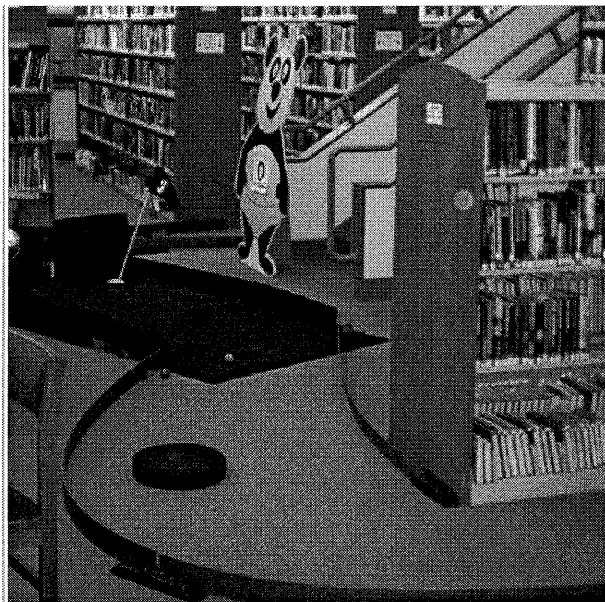
1

**Exeter Public Library NH**  
March 21

April 3: Visit Orange Leaf Yogurt in downtown Exeter. 10% of the proceeds for that day will go to the Library. Thank you, thank you...

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6



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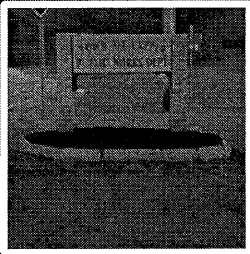
1

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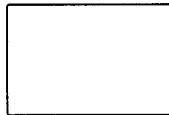


### Exeter, NH Public Works

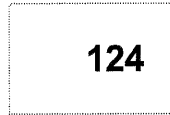
124 likes · 6 talking about this · 0 were here

Liked

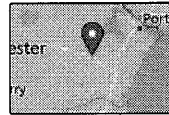
Government Organization  
Important updates for Exeter residents regarding road conditions, water, sewer, solid waste disposal, and more!



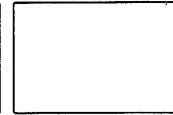
Photos



Likes



Map



Events

About - Suggest a Change

Highlights

Post Photo / Video

Write something...

**Exeter, NH Public Works**  
23 hours ago

The night sewer work planned for this evening in the High St Chestnut area has been postponed until Tuesday, July 2nd. Residents close to the work site will be notified of this change.

Like · Comment · Share

**Exeter, NH Public Works**  
Tuesday

Updates: Dogtown Road paving is complete. There will not be any paving until Thursday on Beech Hill Ext. Gravel shoulder work on Greenleaf Dr, Mill Stream Dr area. Street sweeping continues on Hunter Place, Fuller Lane, Wayside Drive, Langdon Ave, Appledore, Star Ave, Whipperwill, Meadow, Country, Shady, and Pupkin Circle. Great Dam Closed - 2" over crest (adjustments may be made this week due to storms). Roadside mowing continues on main roads East & West side of town.

Like · Comment · Share

2

Denise Fears DeLesdernier and Kathy Kelley Corson like this.



Write a comment...

**Exeter, NH Public Works** shared a link.  
June 19

Recent Posts by Others on Exeter, NH Public Works

See All



**Chele Hauschildt**  
Just a big thank you from Parker Street - you guys ROCK!  
1 · June 12 at 4:29pm



**New Hampshire LTAP**  
2013 Nat. Work Zone Awareness PSA  
1 · April 11 at 3:55pm



**Kathy Kelley Corson**  
Thank you for spending another night cleaning up the town. ...  
6 1 · February 12 at 6:41am



**Kimberly Flanders Cross**  
Why is there a backhoe on my street clearing snow at 345 a...  
3 · February 12 at 4:25am



**Exeter Patch**  
We got a report of flooding on Swasey Parkway. Has that r...  
2 · December 27, 2012 at 2:23pm

More Posts

Likes

See All



**Seacoastonline.com**  
Media/News/Publishing



**Exeter Public Library NH**  
Government Organization · Library



**Sanel Auto Parts**  
Car Parts & Accessories · Commercial Automotive

Like



**WMUR-TV**  
TV Channel

**Arjay Ace Hardware**  
Home Improvement

Like

Have you received your copy of the 2013 Water Quality Report? If not, you can view a copy on the Drinking Water page! <http://exeternh.gov/publicworks/drinking-water>

**Drinking Water | Town of Exeter New Hampshire Official Website**  
exeternh.gov

Exeter's municipal water system provides drinking water and fire protection to the majority of the Town's population. The Town relies on a combination of surface water and groundwater to meet Exeter's water

Like · Comment · Share

1


**Exeter, NH Public Works**  
June 17

Street sweeping will continue on Hampton Rd, Ashbrook Rd, Meadow Woods, Exeter Farms, Guinea Rd, and Rte 88. The Great Dam is open at 50% to be adjusted through out the week. A top coat will be done on Dogtown Rd on Wednesday and Thursday. Beech Hill Ext will be paved on Friday. Roadside mowing is on going on the west side main roads.

Like · Comment · Share

Exeter-Hampton Cooperative likes this.



 **Kathy Kelley Corson** appreciate your info!!!  
Like · Reply · 1 · June 17 at 12:11pm

**Exeter, NH Public Works**  
June 11

Road Maintenance update: Due to the weather paving has been held off until next week. Street Sweeping will be around the areas of Oak, Wheelwright, Portsmouth, Exeter Farms, Front, Main, Epping, Lincoln and Court.

Like · Comment · Share

1



Activity  
Recent



Exeter, NH Public Works created Great Dam Removal Feasibility & Impact Analysis ...

**Exeter, NH Public Works**  
June 18

Stratham Industrial Park area has been experiencing dirty water this morning. There may be an interruption to water service in this area for some time this morning. The Water & Sewer Department is currently working to resolve the issue. We appreciate your patience!

Like · Comment · Share

**Exeter, NH Public Works**  
June 12


Due to the recent rain storms the Great Dam has been wide open since before this past Monday!


Like · Comment · Share

2

Exeter Patch, Kathy Kelley Corson and CJ Parsons like this.

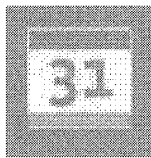


 **CJ Parsons** Thank You! Just out of curiosity, who decides when to open the dam?  
Like · Reply · June 12 at 12:00pm

 **Exeter, NH Public Works** Hi CJ - good question. The Great Dam is controlled by DPW and the State. For more information about the Exeter River and other Dams you can check out: <http://des.nh.gov/organization/divisions/water/dam/index.htm>  
Like · June 12 at 1:26pm



**Exeter, NH Public Works** created an event.  
June 10



**Great Dam Removal Feasibility & Impact Analysis Public Meeting**  
June 26 at 6:30pm  
Exeter High School, 1 Blue Hawk Drive, Exeter, NH  
Exeter, NH Public Works went

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2013  
Founded

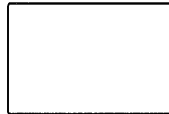


### Exeter Town Clerk

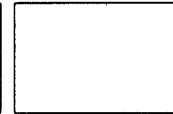
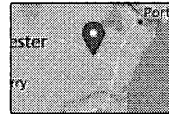
Community Page about Town of Exeter, NH

Liked

Exeter has a rich history that dates back to 1638 when it was founded, over 130 years before the American Revolution! Many areas of the town are significant to both New Hampshire and American History.



Likes  
**33**



About - Suggest a Change

Photos

Likes

Map

Events

Highlights

#### Post

Write something...

**Exeter Town Clerk**  
17 hours ago near Exeter

The Town Clerk's Office is closing on Friday, June 28th at 3:00 PM due to training.  
We are open at 8:15 AM

Like · Comment · Share

#### Likes

See All

- Exeter Police Department**  
Government Organization Like
- Exeter Area Chamber of Commerce**  
Local Business
- EB2Gov**  
Community Like
- Madbury Town Clerk**  
Government Organization Like
- Exeter Kiwanis**  
Community Organization Like

**Exeter Town Clerk** shared a link.  
June 24

<http://exeternh.gov/townclerk/dog-license-renewal>



**Dog License & Renewal | Town of Exeter New Hampshire Official Website**  
exeternh.gov

Helpful Hint: In order for you to receive an email notice about your (dog or vehicle) registration renewal, please make sure we have your email address here at the Town Clerk's Office, we will gladly add it to your registration account. Also, be sure to add "ENotices [at] EB2Gov [dot] com" to your s...

Like · Comment · Share

**Exeter Town Clerk**  
June 24

The one check system will go into affect on July 1, 2013. This means you will only need to write "one" check for your motor vehicle registrations. If you have any questions or concerns, please give us a call at 775-0591.





Like · Comment · Share

Michelle Lagasse likes this.

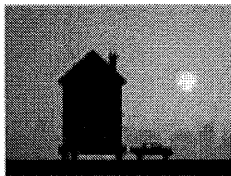


Write a comment...



Exeter Town Clerk shared a link.  
January 15

<http://www.town.exeter.nh.us/townclerk/new-town-exeter-welcome>



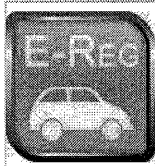
**New To the Town of Exeter? Welcome! | Town of Exeter New Hampshire Official Website**  
[www.town.exeter.nh.us](http://www.town.exeter.nh.us)

Like · Comment · Share



Exeter Town Clerk shared a link.  
January 8

<http://www.town.exeter.nh.us/townclerk/town-exeter-motor-vehicle-registration>



**Town of Exeter Motor Vehicle Registration | Town of Exeter New Hampshire Official Website**  
[www.town.exeter.nh.us](http://www.town.exeter.nh.us)

Helpful Hint: In order for you to receive an email reminder about your registration renewal please make sure we have your email address here at the Town Clerk's Office, we will gladly add it to your registration. Also, be sure to add "ENotices [at] EB2Gov [dot] com" to your safe senders list...

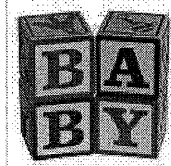
Like · Comment · Share



Exeter Town Clerk shared a link.  
January 7

If you were born after 1983, you may obtain your birth certificate from the town you live in. You do not need to come to Exeter; you can go to your local town clerk's office.

<http://www.town.exeter.nh.us/townclerk/birth-certificate-application-0>



**Birth Certificate Application | Town of Exeter New Hampshire Official Website**  
[www.town.exeter.nh.us](http://www.town.exeter.nh.us)

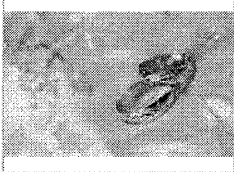
Effective January 1, 2005 all individuals requesting a certified copy of a record (Pursuant to RSA 5 C-16) must present positive identification, including, but not limited to, a driver's license, passport or other picture identification, or in the absence of acceptable picture identification shall c...

Like · Comment · Share



Exeter Town Clerk shared a link.  
January 7

To Obtain a Marriage Certificate link: <http://www.town.exeter.nh.us/towndclerk/marriage-certificate-application>



**Marriage Certificate Application | Town of Exeter New Hampshire Official Website**  
[www.town.exeter.nh.us](http://www.town.exeter.nh.us)

Effective January 1, 2005, all individuals requesting a certified copy of a record (Pursuant to RSA 5 C-16) must present positive identification, including, but not limited to, a driver's license, passport or other picture identification, or in the absence of acceptable picture identification shall ...

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The purpose of this Facebook page is to allow and encourage the Town to communicate with the public about topics of interest to the Town including its services, events, and other Town news. The topics of discussion will be set by the moderator, and it is expected that comments made will be on topic. Comments that are off-topic, contain sexually explicit or obscene material, are defamatory or threatening will be removed.

Sample

**Town of Rindge  
Social Media Policy**

The following policy applies to comments posted through any social media outlet of the Town of Rindge, including Facebook and Twitter.

1. As a public entity, the Town must abide by certain standards to serve all its constituents in a civil and unbiased manner.
2. The intended purpose behind establishing Town of Rindge social media sites is to disseminate information from the Town, about the Town, to its citizens.
3. Comments containing any of the following inappropriate forms of content shall not be permitted on Town of Rindge social media sites and are subject to removal and/or restriction by the Town Administrator or his/her designees:
  - a. Comments not related to the original topic, including random or unintelligible comments;
  - b. Profane, obscene, or pornographic content and/or language;
  - c. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, or national origin;
  - d. Defamatory or personal attacks;
  - e. Threats to any person or organization;
  - f. Comments in support of, or in opposition to, any political campaigns or ballot measures;
  - g. Solicitation of commerce, including but not limited to advertising of any business or product for sale;
  - h. Conduct in violation of any federal, state or local law;
  - i. Encouragement of illegal activity;
  - j. Information that may tend to compromise the safety or security of the public or public systems; or
  - k. Content that violates a legal ownership interest, such as a copyright, of any party.
- l. Redundant or repetitive comments, with the same or similar content posted multiple times under various posts.
4. A comment posted by a member of the public on any Town of Rindge social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the Town of Rindge, nor do such comments necessarily reflect the opinions or policies of the Town of Rindge.
5. The Town of Rindge reserves the right to deny access to Town of Rindge social media sites for any individual who violates the Town of Rindge's Social Media Policy at any time and without prior notice.
6. Town of Rindge department heads shall monitor their social media sites periodically

No: 2010-29  
Date: 10/6/2010

during normal business hours for comments requesting responses from the Town and for comments in violation of this policy.

7. Town of Rindge department heads, employees and certain officials may post content in their official capacity, if authorized to do so in their job description. When doing so, they shall log in as a Town of Rindge administrator and sign the comment with their initials.

Comments made by individual employees from their personal accounts are personal expressions and not Town representations.

8. All comments posted to any Town of Rindge Facebook site are bound by Facebook's Statement of Rights and Responsibilities, located at <http://www.facebook.com/terms.php>, and the Town of Rindge reserves the right to report any violation of Facebook's Statement of Rights and Responsibilities to Facebook with the intent of Facebook taking appropriate and reasonable responsive action. The same applies to Twitter and other social media sites.

Approved this \_\_\_\_ day of October, 2010

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Burton Goodrich

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Jed Brummer

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Patricia Lang Barry  
BOARD OF SELECTMEN

## **WORKPLACE SEARCHES**

To safeguard the safety and property of our employees, residents, and the Town, the Town reserves the right to search any employee's office, desk, files, locker, or any other area or article on our premises based on probable cause. Employees should understand that all offices, desks, files, lockers and so forth are the property of the Town and are issued for the use of employees only during their employment with the Town. Searches may be conducted at any time at the discretion of the Town. Employees will be informed that the search occurred if they were not present during the inspection. Employees who refuse to cooperate in a search will be subject to disciplinary action up to and including discharge if after investigation, they are found to be in violation of the Town's security procedures or any other Town rules and regulations.

## **CELL PHONE/PDA POLICY**

Drivers may not use their phones or other personal digital devices (e.g., Blackberries) in any manner, including but not limited to making or receiving calls; sending, viewing or receiving text or voice messages of any kind; checking time; looking up information contained on phone or personal digital devices while operating a Town vehicle, while operating any vehicle on Town related business, or while operating any Town machinery or equipment with the exception of police and fire personnel who may receive work-related calls in their official capacity.

**Please be aware that texting while driving is against the law in New Hampshire and in many other states. Drivers are expressly prohibited from texting while operating Town vehicles or while operating any vehicle while on Town related business.**

Failure to comply with this policy may result in disciplinary action, up to and including termination.

## **X. OTHER**

### **SOCIAL NETWORKING AND BLOG POSTINGS**

This policy addresses personal sites only; sites maintained by the Town are not included. Postings on social networking sites such as Twitter, Face book and MySpace as well as on blogs has become a common activity of many individuals. The Town prohibits employees from any such postings, viewing or in any way participating in such sites while on work time or using any of the resources or equipment of the Town. The Town internet resources are only to be used in accordance with the office rules and policies on confidentiality, harassment, use of the internet and use of office equipment.

The Town neither encourages nor discourages any of its employees from posting on social networking sites or blogging on their own time, using their own equipment. However, employees should be aware that these postings are public; even if access to them is restricted they may be forwarded out of the restricted group by those who have rightful access, and live on virtually forever. And, even if a posting is taken down it never truly disappears but rather continues to exist somewhere in cyberspace. As a result, employees need to be mindful that social networking postings (whether images or comments), even though done on personal time

and using personal equipment, can cause damage to not only their own reputation and interests but also the reputation and interests of the Town, co-workers, and the public we serve.

Should you choose to blog or participate in any social networking site on your own time, using your own resources and equipment, you are requested to follow the following guidelines:

1. You must never disclose any confidential information of the Town or any information whatsoever about the Town's residents.
2. Your postings must not violate any laws or policies of the Town, including but not limited to harassment, violence, or confidentiality of other employees or residents.
3. Should you reference the Town in any way you must state that the views, opinions, ideas or information belong to you personally and are not in any way attributable to the Town.

Employees should report violations of this policy to Supervisor and/or Department Head. It is the responsibility of all employees to help the Town ensure compliance with the policy.

Violation of any aspect of this policy is subject to disciplinary action, up to and including termination of employment, regardless of whether such conduct occurred away from work or on non-work time.

## **XI. SEPARATION FROM EMPLOYMENT**

### **RESIGNATION/TERMINATION**


Should you decide to resign from your employment with the Town, we ask that you notify your Department Head in writing of your decision at least two weeks in advance of your planned departure date in writing. Your thoughtfulness will be appreciated, and will allow the Town to maintain work schedules and provide important services to the public.

Pay in lieu of vacation earned but not taken will be made in the case of employment terminated by resignation, dismissal, retirement or death of an employee. Employees forfeit all accrued sick leave and personal leave upon termination for cause. **Please see Vacation, Sick and Personal leave Section VII.**

If a permanent employee dies while in the Town's services, wages earned to the time of death, any unused vacation leave credits shall be paid to:

- (a) A beneficiary named by the deceased and recorded with the Town;
- (b) Surviving spouse of deceased if no other beneficiary has been named and recorded with the Town;
- (c) The estate of the deceased if neither of the foregoing is applicable.

**TOWN OF EXETER  
MEMORANDUM**

TO: Board of Selectmen  
FROM: Russell Dean, Town Manager   
RE: Public Drinking Ordinance  
DATE: July 1, 2013

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As we continue to research alcohol use on town property, we have heard from several communities that allow the practice. Some feedback on some of those surveyed include:

Peterborough – Allowed. The experience has been almost exclusively with weddings. Service is allowed in any of the event spaces or parks, but it is required a licensed bartender is hired, the town is named as additional insured, that liability coverage of at least 2 million is carried by the applicant, and Police Chief coordination is required. The Chief is also allowed to assign a detail officer at his discretion if needed.

Northfield – Allows alcohol at functions on town property ‘subject to all laws pertaining to such use.’ Board of Selectmen review and approve the application to use town property for a private event. In addition, persons wishing to sell any food or beverage on town property during their event must have a vendor’s permit signed by the Chief of Police and Health Officer, who are empowered to impose restrictions. The permit application for any event that utilizes ‘contracted entertainment services’ must be reviewed by the Police Chief who may impose whatever conditions are deemed to be essential in order to maintain public safety.

Concord – Concord allows alcohol consumption on town property subject to their city ordinance, Sections 14-5-2 and 14-5-3. The ordinance speaks specifically to voluntary non profits, meeting the requirements of RSA 178:22(1) and limited hours between 10:00 a.m. (earliest service) and 10:00 p.m. (latest service). There are conditional issuances of licenses allowed pending proof of meeting the state liquor license required under RSA 178:22 (1).

New London – New London allows consumption under the attached sample ordinance.

Pelham and Henniker responded to the survey indicating they not allow consumption, however Henniker has recently begun allowing sales of alcohol at its local farmer’s market.

Based on this sample research, it would appear the decision rests squarely with the Board on the methods and means of regulating alcohol consumption on town property.





***Town of New London***  
***Selectmen's Office***

*P.O. Box 240*  
*375 Main Street*  
*New London, NH 03257*

**TOWN OF NEW LONDON**  
**BOARD OF SELECTMEN**

**PUBLIC POSSESSION/CONSUMPTION OF ALCOHOLIC BEVERAGES**

WHEREAS: The Board of Selectmen considers the unregulated possession and/or consumption of alcoholic beverages on property owned or managed by the Town poses a threat to the health, safety, and welfare of all citizens; and

WHEREAS: The Board of Selectmen considers the unregulated possession and/or consumption of alcoholic beverages on the public highways, sidewalks, and commons within the Town poses a similar threat; and

WHEREAS: R.S.A. 41:1141:11-a, and 47:17, VII and XV, as amended, give the Board of Selectmen authority to adopt by-laws regulating such conduct.

NOW THEREFORE, the Town of New London Board of Selectmen on this 12th day of May, 2003 adopt the following by-laws:

**CONSUMPTION OF ALCOHOLIC BEVERAGES  
AND POSSESSION OF OPEN CONTAINERS**

1. Except as provided in Section 4, below, it shall be unlawful to consume alcoholic beverages, including malt beverages, in or on any building, cemetery, park, common, library, beach, skating rink or other public facility owned or operated by the Town of New London, including any Town forest or Town beach.
2. It shall be unlawful to possess or transport open containers of alcoholic beverages and/or to consume alcoholic beverages upon the public highways, sidewalks and parking areas in the Town of New London.
3. Except as provided in Section 4, below, it shall be unlawful to possess or transport open containers of alcoholic beverages in any of the buildings, areas, or facilities specified in Paragraph 1 of this by-law.
4. Upon written request, the Board of Selectmen may grant permission to public and private not-for-profit institutions to serve alcohol on public property described in Paragraph 1, above, as long as the following conditions are satisfied:
  - a. The party requesting permission will serve alcohol pursuant to state and federal laws regulating the distribution and consumption of alcohol;

- b. The party requesting permission will designate a person, over the age of 21, who will be responsible for monitoring the event for appropriate alcohol consumption by attendees;
  - c. The party requesting permission will assign two designated drivers who will not consume any alcohol and who will be available until the end of the event;
  - d. The Board of Selectmen may require the requesting party to present evidence of insurance for the event. Furthermore, the party requesting permission shall indemnify and hold the Town of New London harmless with respect to any and all claims that may arise as a result of the party's use or occupancy of Town of New London property, which indemnification shall include all costs incurred by the Town, including, but not limited to, attorneys' fees.
  - e. The Board of Selectmen reserves the right to specify additional conditions, including but not limited to the presence of a police officer at the expense of the requesting party.
5. For the purposes of this ordinance, alcoholic beverages are defined as any distilled liquors or rectified spirits, vinous, fermented, or brewed, including any malt liquors, and shall include any beverage by whatever name called, containing more than 1% of alcohol by volume at 60 degrees Fahrenheit, and any beverage of which any part is an alcoholic liquor or malt beverage.
  6. Violations of this by-law shall be punishable by a fine of up to \$1000.00 for each offense.
  7. This ordinance is intended to fully replace the previous ordinance regarding public possession/consumption of alcohol beverages, which was approved by the Board of Selectmen on October 6, 2000.

After public hearing, the above ordinance was adopted by the Board of Selectmen on May 12, 2003.

New London Board of Selectmen

---

Douglas W. Lyon, Chair

---

Mark Kaplan

---

Ruth I. Clough

# TITLE XIII

## ALCOHOLIC BEVERAGES

### CHAPTER 178

#### LIQUOR LICENSES AND FEES

##### Section 178:22

###### **178:22 On-Premises Cocktail Lounge Licenses. –**

I. The commission may issue a license to the types of businesses listed in RSA 178:22, V in any town which has voted to accept the provisions of RSA 663:5, I(b), (c), and (d). The license issued shall entitle the licensee to serve beverages, by the glass, by the bottle with cap removed or in any other suitable container, wines by the glass, by the bottle with the cork or cap removed or in any other suitable container, or liquor by the glass or other suitable container.

II. No person under the age of 18 shall be in the cocktail lounge unless accompanied by a parent, legal guardian, or adult spouse.

III. No beverage or liquor shall be consumed on the licensed premises except that sold by the licensee.

IV. No beverages or liquor may be removed from the licensed premises by patrons, except as provided by RSA 179:27-a.

V. The commission may authorize the following types of businesses as they are defined in RSA 175:1 to sell beverages and liquor in cocktail lounges:

(a) Airports. The commission may issue a cocktail lounge license to any operator of an airport or designee. Such cocktail lounge license shall allow the licensee to serve liquor and beverages in such rooms as may be designated by the commission. Food and coffee shall be available without requiring a minimum or cover charge.

(b) [Repealed.]

(c) Ballrooms.

(1) The commission may issue a cocktail lounge license to any ballroom which has seating accommodations for at least 500 patrons. The cocktail lounge license shall allow the licensee to sell liquor and beverages to patrons but only at such times as "live entertainment," as defined in RSA 175:1, is being provided by the licensee.

(2) Any ballroom may open its facilities to the public for functions of a limited duration during which time liquor and beverages shall not be available to patrons and during which time all liquor and beverages shall either be removed from the area open to the public or locked and inaccessible to persons other than employees approved by the commission. Any licensee of a ballroom may so open the facilities upon notice in writing to the commission at least 5 business days prior to the function. If the facility is open for special functions at which time liquor and beverages are not available to patrons, the commission shall not impose any conditions as to who may attend such functions or whether or not live entertainment is provided so long as local fire and building code requirements are met.

(3) Any licensee of a ballroom may receive a supplemental license from the commission to close all or part of the ballroom facilities to the public for special social functions at which only bona fide members of a social club or organization or persons who have been invited to a family social function shall be admitted. The commission shall issue such a license to allow the licensee to sell liquor or beverages to persons attending such social

functions if the licensee applies for one at least 5 business days prior to the function and pays a fee for each such function. If only part of the ballroom facilities are used for such a function, the licensee may operate the remaining facilities under his license issued under subparagraph (c)(1).

(d) [Repealed.]

(e) Caterers, On- and Off-Site.

(1)(A) The commission may issue a cocktail lounge license to any caterer with on-site permanent kitchen facilities and permanent dining facilities capable of seating 100 persons or more. Such license shall allow the licensee to serve liquor and beverages with or without meals to members of a private party in any room of such on-site catering facility designated by the commission. For the purposes of this paragraph, persons under the age of 18 shall be allowed in rooms where beverages and liquor are served without a parent or guardian present. Such lounge license may allow the licensee to serve liquor and beverages on the premises of any public building approved by the commission. Licenses shall be granted only to such caterers as the commission, at its discretion, shall approve and then only to such caterers as shall show the commission on forms and under rules adopted by the commission that at least 50 percent of their combined food and liquor and beverage sales shall fall within the category of food. Caterers with annual food sales of \$100,000 or more shall be exempt from the 50 percent requirement. Caterers shall notify the commission not less than 5 days in advance of a function specifying date and time of the scheduled function. Notwithstanding any other provision of law, a caterer, with the approval of the commission, may subcontract for the cooking, preparing or serving of food pursuant to the caterer's liquor license. The commission shall adopt rules in accordance with RSA 541-A to carry out the provisions of this subparagraph. New premises or locations shall be approved by the commission 10 days before the scheduled events.

(B) The commission may issue a supplemental license to an on-site caterer licensed to sell beverages and liquor with food to the public on dates approved by the commission when no private function is being catered under RSA 178:22, V(e)(1)(A), unless such premises which have been approved by the commission are capable of being physically separated between public and private functions. The supplemental license may be issued to the applicant for 18, 36, or 52 events per license year. The fee charged for such license shall be \$5 for 18, 36, or 52 events. A person issued a supplemental license under this subparagraph shall meet all requirements of RSA 178:22, I-IV. The caterer shall request the commission's approval at least 5 days before any scheduled event to be serviced by a supplemental license. The commission may suspend or revoke the caterer's supplemental license without affecting any other license issued for the premises.

(2) The commission may issue a license to any person operating an off-site catering service or any person holding a full service restaurant license, hotel full service restaurant, brew pub, or convention center license to conduct an off-site catering business on the premises of other licensed establishments or the premises of any public building approved by the commission. For the purposes of this paragraph, persons under the age of 18 shall be allowed in rooms where liquor and beverages are sold. A license issued under the provisions of this paragraph shall allow the licensee to serve liquor and beverages with or without meals to members of a private party contracting for such service. Such caterers shall notify the commission not less than 5 days in advance of a function specifying the date, time, and location of the scheduled function. New premises and locations shall be approved by the commission at least 10 days before the scheduled event.

(3) For the purposes of subparagraph (e):

(A) "Private group" means an assembly of persons gathered for a designated social or business occasion, present by invitation or reservation and shall in no way be construed to mean the general public.

(B) "Public building" means any building maintained and available for any person, group, or organization, which may include retail business establishments, when they are not open to the public; licensed premises, provided there is a physical, unmovable barrier between the licensed business and the catered area; and tents,

gazebos, or other defined outdoor areas, provided 2 separate toilet facilities are located in the immediate vicinity. A public building shall not be construed to mean a private residence.

(4) Premises restrictions:

(A) The holder of a caterer's on- or off-site license shall ensure, at every function, that all state laws are complied with and that any entertainment provided shall be approved by the commission.

(B) On-site caterers and off-site caterers shall file, between January 15 and February 15 of each year, a certificate form with the commission covering food and beverage and liquor sales for the previous calendar year. All catered sales shall be noted on the certificate form which shall be furnished by the commission.

(f) College Clubs. A college or university club may be entitled to a license for the sale of beverages and liquor to members and guests in a room or rooms approved by the commission.

(g) Military Club. An operator or designee of a military club may be entitled to a license for the sale of liquor and beverages to members and guests in a room or rooms approved by the commission.

(h) Veterans' Clubs, Private Clubs, and Social Clubs.

(1) The commission may issue cocktail lounge licenses to private, social, or veterans' clubs incorporated under the laws of the state and which may be affiliated with any national fraternal organization, for the sale of liquor and beverages to members and guests in a room or rooms approved by the commission. A licensee under this subparagraph shall sell for convenience and for a reasonable profit to be determined by the commission. Each licensee shall make a sworn report to the commission for each month on or before the fifteenth of the following month, in such form as the commission may require, showing the income from liquor and beverages sold and the expenses properly chargeable to the business for the month. The cost of the cocktail lounge license shall be considered an expense chargeable to the business. Veterans clubs which qualify as "club-veterans" under RSA 175:1, XXII shall be exempt from the requirements of subparagraphs V(h)(6)-(8), V(h)(9)(B)-(C), and V(h)(10)-(12).

(2) No person under the age of 18 shall be in any room where liquor and beverages are sold, except persons under the age of 18 shall be allowed in rentable rooms approved by the commission when beverages and liquor are served without a parent or guardian present at such times the club is using a supplemental license.

(3) The commission may issue to a club licensed under subparagraph (h)(1) a supplemental license to set up a separate bar facility to serve liquor and beverages to private groups in a rental hall approved by the commission. This supplemental license shall allow the club to hold up to 18 events, 36 events, or 52 events for the fees established in RSA 178:29, I. The club shall be responsible for compliance with this title and any rules adopted under it. The club shall notify the commission at least 5 days before any scheduled event which shall be serviced by such bar facility. The commission may suspend the use of any bar facility without affecting the status of any other license in effect on the club premises.

(4) Clubs may allow private groups to bring in or sell their own liquor and beverages in approved rental facilities provided there is a complete separation between the club area and the rental area.

(5) Every member of a club, affiliated with a national fraternal organization and licensed under subparagraph (h), shall be entitled to canteen privileges at every club with which his or her club is affiliated in this state. Such canteen privileges shall include the right to bring guests to affiliated clubs, providing the member has on his or her person, and displays upon request, a current membership card of the national fraternal organization. A veterans' club licensed under subparagraph V(h) is authorized to permit, if approved by a majority of the members, the members of one or more nationally-recognized veterans nonprofit groups to exercise canteen privileges as if the members of the approved group or groups are members of the club.

(6) No licensee corporation shall enter into a contract with any person to provide services, equipment, or any other thing of value if that person is also a director, officer, or employee of the licensee corporation.

(7) No licensee corporation shall permit a person, either elected or appointed, to hold multiple corporate

offices or permit an officer to hold the position of director.

(8) No licensee corporation shall permit a director or officer of the club to be an employee of the licensee corporation.

(9) All clubs shall annually provide written documentation to the commission which shall include:

(A) A certificate from the secretary of state which shall demonstrate that the nonprofit corporation holding a license under this subparagraph is registered and in good standing with the secretary of state;

(B) Minutes of all membership meetings, meetings held by officers and directors, and any special meetings;

(C) Copies of all contracts entered into between the licensee corporation and any director, officer, or manager of the licensee corporation, as well as any provider of services to the club.

(10) For the purposes of subparagraph (h):

(A) "Minutes" means detailed written memoranda of a transaction, proceedings, or club operations.

(B) "Contract" means any oral or written agreement between the licensee corporation and any other person, to do or not do a particular thing. The definition of a contract for the purposes of this section shall not be limited by its enforceability.

(11) No director, officer, or employee of a licensee corporation shall engage in any undertaking that shall place the personal interests of a person ahead of the interests of the membership of the club.

(12) Violations of subparagraph (11) of this subparagraph shall be investigated by the enforcement division of the liquor commission and directed to the department of justice for examination of issues unrelated to this title.

(i) Convention Centers. The commission may issue a cocktail lounge license to any convention center. Such license shall allow the licensee to sell liquor and beverages in rooms approved by the commission, to persons within the convention center. Liquor and beverages shall be sold with meals in the public dining rooms. Persons under 18 years of age shall be accompanied by a parent, legal guardian, or adult spouse when in convention rooms where liquor or beverages are being sold. Patrons of any age may be allowed in the dining rooms.

(j) [Repealed.]

(k) Hotel. The commission may issue a cocktail lounge license to any hotel holding a hotel full service restaurant license issued under RSA 178:21, II(b)(1) to serve liquor and beverages in any room of a hotel designated by the commission. No cocktail lounge shall be operated on days that the dining room is closed. No cocktail lounge shall operate before the dining room opens for meals, except if breakfast and noon meals are not offered, the lounge may operate 2 hours before the dining room opens for the evening meal. The commission may extend the cocktail lounge license to include the use of a dining area in the restaurant of the hotel after such area has been closed for serving meals, but not before 9:00 p.m., as an overflow area for the cocktail lounge when the lounge is filled to capacity. In the overflow area, liquor and beverages need not be served with meals. The commission may grant, regulate, suspend, or revoke a cocktail lounge license without affecting any other license granted to a hotel.

(l) One Day Licenses for Voluntary Nonprofit Organizations.

(1) Notwithstanding the provisions of RSA 178:2, I, the commission may issue a limited license to any responsible individual representing a voluntary nonprofit group or organization approved by the commission. Such license shall authorize the licensee to sell, on premises approved by the commission, beverages and liquor on the approved premises.

(2) No license shall be issued under subparagraph (l)(1) unless the organization's representative obtains:

(A) Official approval of the chief of the local fire department as to the safety of the premises.

(B) Official approval of the local health department concerning sanitary accommodations.

(C) Official approval of the chief of police as to accessibility of the premises.

Written statements from such officials shall accompany the application for the license. Such application shall be filed with the commission 15 days before the date on which the license is needed.

(3) No person under the age of 18 shall be allowed in those areas where liquor and beverages are served, unless accompanied by a parent, legal guardian, or adult spouse. The selectmen of the town in which such licenses are held may, at their discretion, assign police officers to the premises where liquor or beverages are being served.

(4) No license shall be issued under subparagraph (l)(1) for premises holding other licenses issued by the commission except rental facilities on licensed club premises approved by the commission. Notwithstanding any other provision of law, the commission or its investigators may suspend without warning any license issued under subparagraph (l)(1) if, in their opinion, such sale of liquor and beverages is contrary to the public interest.

(m) Performing Arts Facility. The commission may issue a cocktail lounge license to any nonprofit performing arts facility which seats more than 50 persons. The commission shall determine by rule whether a facility is a nonprofit performing arts facility. The cocktail lounge license shall allow the licensee to sell liquor and beverages to patrons in any rooms designated by the commission.

(n) Race Tracks.

(1) The commission may issue to any operator of a race track or designee a cocktail lounge license which shall allow the licensee to serve liquor and beverages to patrons in such rooms or areas as are located within the confines of the track and are approved by the commission and only during the hours set by the commission. Liquor and beverages sold by a licensee under this subparagraph need not be consumed with meals, provided that suitable food services, approved by the commission, are available for patrons. A licensee under this subparagraph may sell beverages and liquor on dates other than those on which races take place.

(2) Notwithstanding the requirements of RSA 178:22, II and V, a commercial motor vehicle racetrack facility with a paved course of at least 1/4 mile may elect to have an exception to the cocktail lounge definition of RSA 175:1, XXIII and requirements under RSA 178:22, V(n)(1) to sell beverages only, from commission-approved beverage service facilities located in areas approved by the commission within the commercial motor vehicle racetrack facility and allow patrons to carry beverages, not exceeding 2 containers at any time as approved by the commissioner, to approved grandstand seating, other seating accommodations, or areas approved for alcoholic beverage consumption by the commission under such rules as the commission may adopt pursuant to RSA 541-A.

(3) Notwithstanding paragraph III, a commercial motor vehicle racetrack licensed under this section may allow patrons to carry beverages into the facility for on-premises consumption with approval of the commission.

(o) [Repealed.]

(p) Rail Cars. The commission may issue a cocktail lounge license to any railroad or rail car corporation, or their designees, operating rail cars authorizing the licensee to sell liquor and beverages in such cars to be consumed in such cars. The license shall be good throughout the state in both license and non-license territory, and only one license shall be required for all cars operated on the same line by the same owner.

(q) Full Service Restaurants. The commission may issue a cocktail lounge license to any full service restaurant holding a full service restaurant license under RSA 178:21, II(a)(1), to serve liquor and beverages in any room of the restaurant designated by the commission. The cocktail lounge shall be operated in conjunction with the dining rooms. No cocktail lounge shall be operated on days that the dining room is closed. No cocktail lounge shall operate before the dining room opens for meals, except if breakfast and noon meals are not offered, the cocktail lounge may operate 3 hours before the dining room opens for the evening meals. Liquor and beverages served in such room need not be consumed with meals. The commission may extend the cocktail lounge license to include the use of a dining area in the restaurant, after such area has been closed for serving meals, but not before 9:00 p.m., as an overflow area for the cocktail lounge when the lounge is filled to capacity.

In the overflow area, liquor and beverages need not be served with meals. Licenses shall be granted only to such restaurants as the commission, at its discretion, shall approve and then only to such restaurants as shall demonstrate to the commission, in the manner prescribed by the commission, that at least 50 percent of the combined restaurant and lounge and lounge sales shall fall within the category of food. Restaurants with annual food sales of at least \$75,000 shall be exempt from the 50 percent requirement, and the commission shall prorate the annual food sale requirements for seasonal restaurants. The commission may grant, regulate, suspend, or revoke a cocktail lounge license without affecting any other license granted to such restaurant.

(r) [Repealed.]

(s) Vessels.

(1) (A) Watercraft. The commission may issue a cocktail lounge license to any owner or operator of a passenger vessel operating out of any port of the state. Such license shall allow the sale of liquor and beverage in any area of the vessel approved by the commission.

(B) Any licensee may open its vessel to school groups, youth organizations, or other gatherings of persons under the age of 18 years, for functions of a limited duration during which time all liquor and beverages shall not be made available to patrons and during which time all liquor and beverages shall either be removed from the vessel or be locked and inaccessible to persons other than employees approved by the commission. Any licensee who opens its vessel to groups under age 18 shall give written notice to the commission of such function at least 5 business days prior to the function. The provisions of RSA 178:22, II shall not apply during these functions.

(2) Airship. The commission may issue a cocktail lounge license to any owner or operator of an airship to serve liquor and beverages to passengers on the airship. The license shall permit the service of liquor and beverage in any airship owned or operated by the licensee holding a certificate from the Federal Aviation Administration. A photocopy of the license issued under this section shall be conspicuously posted on each airship. The provisions of RSA 178:22, II shall not apply to this subparagraph.

(t) [Repealed.]

(u) Sports/Entertainment Complex.

(1) The commission may issue a cocktail lounge license to the owner of a sports/entertainment complex, or any operator or designee contracting with the owner of the complex. Such license shall allow the sale or service of liquor and beverage in any clearly defined areas approved by the commission. Liquor and beverage shall be sold only at such times as a fee is charged for admission to an event at the sports/entertainment complex. Liquor and beverage shall not be sold or consumed in stadium or skybox seating at any intercollegiate or interscholastic event. The provisions of RSA 178:22, II shall not apply to this license.

(2) The commission may issue to any sports/entertainment complex licensed under subparagraph (u)(1) a supplemental license to set up a separate bar facility to serve liquor and beverages to private groups in any area approved by the commission. The supplemental license shall allow the sports/entertainment complex to hold up to 9 events, 18 events, 36 events, and 52 events for the fees established in RSA 178:29, I. The sports/entertainment complex shall be responsible for compliance with this title and any rules adopted under it. The sports/entertainment complex shall notify the commission at least 5 days before any scheduled event which shall be serviced by such bar facility. The commission may suspend the use of any bar facility without affecting the status of any license in effect on the sports/entertainment complex premises.

(v) Sports Recreation Facility. The commission may issue a cocktail lounge license to any operator of a sport recreation facility or its designee. The license shall allow the licensee to serve liquor and beverages to patrons in designated drinking areas as approved by the commission.

**Source.** 2003, 231:13, eff. July 1, 2003. 2006, 109:1, eff. May 9, 2006. 2007, 20:2, eff. July 1, 2007; 36:2, 5, eff. July 13, 2007. 2009, 88:1, eff. June 11, 2009.



# TITLE LXIII

# ELECTIONS

## CHAPTER 663

## QUESTIONS TO VOTERS

### Liquor Sales

#### Section 663:5

##### **663:5 Question; Vote; Results. –**

I. Upon petition of not less than 5 percent of the legal voters of any city or town filed with the secretary of state not earlier than the first Wednesday after the first Tuesday in August and no later than the first Friday in September before a state general election, the following questions shall be submitted to the voters of such city or town on the usual ballot at such state election:

- (a) "Shall state stores be operated by permission of the state liquor commission in this city or town?"
- (b) "Shall malt beverages (beer) be sold by permission of the state liquor commission in this city or town?"
- (c) "Shall wines containing not less than 6 percent nor more than 15.5 percent of alcoholic content by volume at 60 degrees Fahrenheit (table wine) be sold by permission of the state liquor commission in this city or town?"
- (d) "Shall liquor be sold for consumption on the premises where sold by permission of the state liquor commission in this city or town?"

II. If a majority of the qualified voters present and voting in a city or town signifies the disapproval of question (a) above, the commission shall not operate state liquor stores in that city or town.

III. If a majority of the qualified voters present and voting in a city or town signifies the disapproval of question (b) above, then the commission shall not issue licenses or permits for the sale of malt beverages in that city or town.

IV. If a majority of the qualified voters present and voting in a city or town signifies the disapproval of question (c) above, then the commission shall not issue licenses or permits for the sale of wine in that city or town.

V. If a majority of the qualified voters present and voting in a city or town signifies the disapproval of question (d) above, the commission shall not issue licenses or permits for the sale of liquor for consumption on the premises where sold in that city or town.

VI. If a majority of the qualified voters present and voting in a city or town signifies the approval of question (a) above, the commission may at its discretion operate state liquor stores in that city or town.

VII. If a majority of the qualified voters present and voting in a city or town signifies approval of question (b) above, then the commission may at its discretion issue licenses or permits for the sale of malt beverages in that city or town.

VIII. If a majority of the qualified voters present and voting in a city or town signifies the approval of question (c) above, the commission may at its discretion issue licenses or permits for the sale of wine in that city or town.

IX. If a majority of the qualified voters present and voting in a city or town signifies approval of question (d) above, then the commission may at its discretion issue licenses or permits for the sale of liquor for consumption on the premises where sold in that city or town.

**Source.** 1979, 436:1. 1981, 143:1; 387:1. 1994, 4:26. 1995, 34:14, eff. June 23, 1995.



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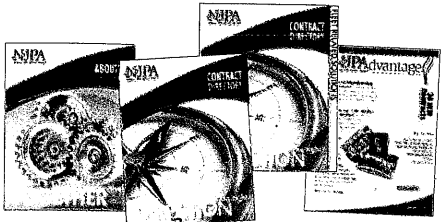
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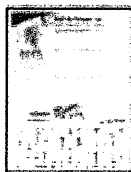
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# LEGISLATIVE BULLETIN

Bulletin #27

2013 Session

June 28, 2013

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## The End

The House and Senate finished their work for the regular legislative session this week by taking action on all committee of conference reports. Both chambers approved the state operating budget (see following article) and a number of other bills of municipal interest.

This is the last weekly *Legislative Bulletin* until December. We will publish the *Final Legislative Bulletin* as soon as all of the 2013 session laws are available. You can see all bills as they become law at the [2013 Chaptered Final Version](#) page on the legislature's website (listed under "General Court News and Hot Links").

There will be no significant legislative activity in July. Subcommittees will begin meeting on retained bills in August. Please see [Legislative Bulletin #24](#) for a list of bills retained in the House that are of municipal interest. You can follow these bills in the House calendar (which is published only fortnightly during the summer), or call the Government Affairs staff for more information. There are also several study committees that will be meeting in the late summer and early fall.

As the Governor has not vetoed any bills this year, and we know of no likely vetoes, the House and Senate may not need to convene for a "veto day." A special session is likely in the fall to take up the issue of Medicaid expansion. If any action is necessary in connection with that or any other legislative activity, we will issue a special *Bulletin* or a Legislative Alert.

## Biennial Budget Adopted

On Wednesday, the House and Senate adopted the committee of conference version of **HB 1** and **HB 2**, establishing and implementing the state operating budget for the biennium beginning July 1, 2013. The budget passed both chambers with overwhelming support: the Senate majority leader noted that while this was the 13<sup>th</sup> budget he had voted on, it was the first one he could recall that received unanimous support in the Senate. The House also provided very strong support, and the Governor has indicated that she will sign both bills.

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## Biennial Budget - continued

As we have reported in previous *Bulletins*, there is much for municipalities to be happy about with this budget, especially when compared to other recent state budgets: an increase in the meals and rooms tax distribution, full funding of the state aid environmental grants for those projects on the delayed and deferred list (see article below), full funding for the Land and Community Heritage Investment Program (LCHIP), full funding of flood control compacts, maintenance of highway block grant funding, and increases in the municipal portion of vital records fees. Details are available in last week's *Bulletin*.

While legislators and others praised the efforts of all involved in formulating a balanced budget, there was also recognition of several major issues that will need to be addressed in the near future, including Medicaid expansion and funding for significant transportation infrastructure improvements (see article below). Also, there is now a moratorium on any future state aid environmental grants for water, wastewater and landfill closures, which raises questions about how the state may (or may not) fund this partnership in the future. Two bills, HB 338 and HB 397, dealing with funding of environmental grants, have been retained by the House Resources, Recreation and Development Committee, and will be studied over the summer and fall, with recommendations presented by November 1.

So while the 2014-2015 biennial budget process has come to a close, there will be plenty of work to do over the next year on issues that will affect future municipal funding. We will work with legislators on these issues and will keep local officials apprised of developments.

## Voter ID Bill Survives

The House and Senate adopted the committee of conference recommendation on the voter ID bill, **HB 595** (see description in last week's *Bulletin*), but not without some difficulty. The compromise recommended by the committee of conference, which is stricter than the current law but less strict than the law scheduled to take effect September 1, was the subject of a flurry of last-minute misinformation and political pressure that peeled off a number of supporters and threatened to sink the bill.

Opponents of the bill, primarily outside the legislature, claimed that the bill would "gut the new voter ID law." That was the opposite of the truth. The version approved by the committee of conference is *stricter* than current law in several ways: (1) it requires that most forms of ID not have exceeded their expiration date by more than five years, whereas current law allows most IDs without regard to expiration date; (2) it defines more narrowly what constitutes a "valid student identification card"; and (3) it no longer allows unspecified IDs issued by a federal, state, county, or municipal government. The bill does not allow any form of ID that is not allowed under the current law.

### Voter ID Bill - continued

Republicans who supported the bill were threatened with primary challenges next year. Approval in the Democratic-controlled House was never in doubt, but Senate approval was far from certain. Fortunately, enough legislators withstood the pressure, and the committee of conference report passed the Senate 14-10 and the House 231-121. As a result, election officials will not need to waste their time at the fall and spring municipal elections conducting photo shoots that would have absolutely no effect on voter fraud.

We thank all the moderators, city and town clerks, and other local officials who worked so hard to keep this bill alive. Please be sure to thank your legislators who voted to support the bill. Click [here](#) to see how senators voted, and [here](#) to see how representatives voted. (A "yea" vote is to support the committee of conference recommendation.)

### Important Meeting for SAG Municipalities

The Department of Environmental Services (DES) will host a meeting of the municipalities on the delayed and deferred state aid grant (SAG) list to review the process for arriving at the correct SAG grant award amounts, and to discuss a tentative schedule for issuing payments to these municipalities. This meeting is scheduled for **9:00 a.m. to 12:00 noon, Tuesday, July 16, in the auditorium at the DES main office, 29 Hazen Drive, Concord.** [Click here for directions.](#) If your city or town is on the D&D list, please be sure someone from your municipality attends this important meeting.

### DOT Paints a Bleak Picture

The New Hampshire Department of Transportation gave a presentation this week to the House Public Works & Highways Committee on the likely consequences of the legislature's failure to approve additional funding for roads and bridges. The department's predictions should be of serious concern to all municipal officials.

The department explained that highway funding has been propped up in recent years by a number of one-time revenue sources. These included federal stimulus funding beginning in 2009, \$120 million from the sale of a portion of I-95 to the turnpike system in 2010 (payable over six years), and approximately \$85 million in the 2010-11 biennium from the vehicle registration surcharge. All of those sources have now dried up or will soon. As a result, unrestricted highway fund revenues have declined from \$339 million in 2010 to \$276 million in 2013, and are projected to decline further to \$231 million by 2016--a decline of about 32 percent in six years. This has occurred at a time when the cost of materials has increased dramatically.

Without additional revenue, work on the widening of I-93 will have to cease in 2015, leaving the project unfinished between exits 3 and 5 and north of exit 5. Resuming the project at a later date is complicated by the fact that the required environmental permits expire in 2020.

## NH DOT - continued

The department also will face a \$50 million deficit, which, absent statutory changes, can only be closed through layoffs. Eliminating the deficit solely through layoffs would require 600 layoffs, or about a third of the department.

The department is currently able to pave only about 300 miles of state road every year, compared to a goal of 500 miles. The commissioner stated that DOT will continue to give priority to roads that are in relatively good condition, as this is more cost-effective. This means, however, that the worst roads will continue to deteriorate.

The commissioner stated that there are about 700 red-listed or "near-red-listed" state and municipal bridges in the state. At current funding levels, to renovate all of them would take *94 years*--assuming they don't continue to age!

The good news is . . . actually, there is no good news. It just gets worse. In short, state roads will continue to deteriorate, there will be less money for state and municipal bridge repairs, and--most alarmingly--DOT will need to find ways to cut expenses. Although it does not have the authority to reduce the 12 percent of road toll revenue that goes to municipal block grants (and has not expressed any desire to make that cut), the legislature does have that authority.

Municipal officials are well aware of what can happen when the state gets desperate for money. In the unlikely event that anyone does not remember, take a look at how your retirement costs have changed over the last four years.

Municipalities need to start preparing *now* to resist any downshifting of transportation costs in the next legislative session. In discussions with your legislators over the next several months, please emphasize that (1) any reduction in highway block grants is unacceptable; and (2) the legislature must find a way to provide *significant* additional funding for roads and bridges. This should be at the top of everyone's priority list.



## HOUSE AND SENATE FLOOR ACTION

Wednesday, June 26, 2013

**SB 188-FN**, relative to municipally-owned utilities. **Committee of conference report adopted.**

**HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2014 and June 30, 2015. **Committee of conference report adopted.**

**HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures. **Committee of conference report adopted.**



## Floor Action - continued

**HB 124-FN**, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system. **Committee of conference report adopted.**

**HB 183**, relative to processing absentee ballots. NHMA Policy. **Committee of conference report adopted.**

**HB 252**, consolidating the property appraisal division and the municipal services division of the department of revenue administration. **Committee of conference report adopted.**

**HB 295-FN**, requiring criminal background checks for volunteers and employees at youth skill camps. **Committee of conference report adopted.**

**HB 518**, relative to establishing an individual's status as a veteran and specifying that training for active duty is service for purposes of the veterans' tax credit. **Committee of conference report adopted.**

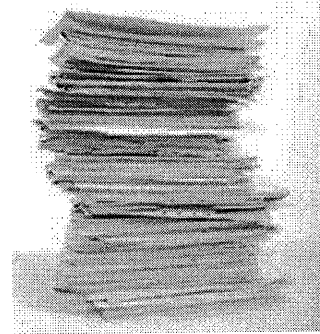
**HB 595-FN**, relative to photo identification of voters. NHMA Policy. **Committee of conference report adopted.**

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## NHMA Right to Know Webinar Series

### Register on-line

sign up once to participate in one or both sessions.



### **Notices and Minutes under the Right to Know Law**

July 17, 12:00 p.m.

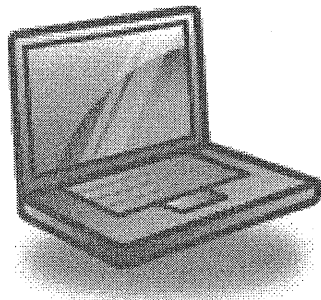
This webinar will focus on the requirements for posting notice for public meetings, nonpublic sessions, and public hearings, along with the issue of meeting agendas. We will also discuss meeting minutes, including the information required, deadlines, draft v. approved minutes, the process for amending minutes, and how to handle the material used to create the minutes. This webinar is designed for both the administrative staff handling notice and minutes for municipal boards and the board members whose meetings generate these questions.

### **Handling Requests for Records under the Right to Know Law**

July 24, 12:00 p.m.

All municipalities receive requests for records from the public and the media. This webinar will focus on the legal requirements for responding to requests, including time limits, appropriate responses, format of records provided, and limitations on the public's rights to governmental records. We will also offer some practical suggestions for developing a response plan in your municipality and communicating it effectively to those on the front lines receiving the requests.

Presented by NHMA Staff Attorneys Chris Fillmore and Paul Sanderson.



**These webinars are complimentary  
and available only to members of  
the NH Municipal Association.**

For registration questions, please contact: Christian Pearsall  
at [cpearsall@nhlgc.org](mailto:cpearsall@nhlgc.org) or phone 603-224-7447 x3320

June 19, 2013

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

Dear Mr. Dean:

I write regarding HealthTrust's return of \$33.2 million of surplus as required by the Hearing Officer's Order in the Bureau of Securities Regulation administrative proceeding. The Hearing Officer calculated this return based on HealthTrust's Calendar Year 2010 audited financial statements. While LGC and the HealthTrust Board of Managers continue to appeal certain aspects of the Order, the HealthTrust Board is committed to returning this \$33.2 million to its Members. The time requirements in the Order necessitate that this return occur prior to September 1, 2013.

**According to the Order, only HealthTrust Members who participated in the 2010 medical and/or dental program and were still participants in those coverages in August 2012 are eligible to participate in the return. Your group qualifies.**

The Attachment to this letter shows HealthTrust's calculation of your group's share of this return. HealthTrust plans to make the return by check on August 27, 2013. If your group would prefer to receive your return in the form of a *Contribution Holiday*, which deducts the value of the return from your group's cost for coverage, please let us know in writing before August 16, 2013. If you choose a *Contribution Holiday*, the return amount will be credited to your account on August 27, 2013 and appear on your September 2013 invoice.

**The amount of your group's return of 2010 surplus could be reduced because of a challenge to the Hearing Officer's Order filed by former HealthTrust Members who are not eligible for a return under the Order.**

HealthTrust calculated your return of the 2010 surplus based on your group's proportional share of the total 2010 HealthTrust contributions, as required by the Order. As you may have heard, however, a small number of former HealthTrust Members have challenged the distribution set by the Order because they failed to qualify for the return of surplus. They also asked the Supreme Court to delay the distribution of the 2010 surplus until their challenge is decided. HealthTrust will follow any future order regarding the system and/or timing of the distribution. As the challenge could affect the distribution, including the amount of your group's return, we will keep you posted on these developments so you have the best available information on the return and how it may affect your group.

**The return of 2010 surplus is *in addition* to your group's share of the previously announced return of 2011 surplus. Your group's share of the 2011 return of surplus is also reflected on the Attachment.**

HealthTrust continues to take affirmative steps to comply with the provisions of the Order and minimize the outstanding issues with the Bureau. We want to put this administrative process behind us so we can focus on providing our Members with comprehensive benefits that center on wellness and prevention, while protecting the Members from unexpected risks.

We understand that local officials are always looking for innovative and sensible solutions to their budget concerns. We know that, whenever and wherever possible, they seek to offer and maintain comprehensive employee benefits for their employees and their families, and to provide security for retirees. We want to continue to be your partner in that process.

I hope this information is helpful in understanding how and why HealthTrust plans to distribute this surplus. Please let me or your Benefits Advisor, Melisa A. Briggs, know if you have any questions about this. As always, thank you for your continued participation in HealthTrust.

Sincerely,

Wendy Lee Parker  
Deputy Director for Risk Pool Operations

Attachment

**Summary of HealthTrust Return of Surplus Amounts  
For Distribution in 2013 to  
Town of Exeter**

**BSR Ordered Return of 2010 Surplus**

Return of Surplus amounts in response to Bureau of Securities Regulation (BSR) Administrative Hearing Officer's Order for **CY2010**:

Coverage	Amount of Group Return	Date Check Mailed or Credit (Contribution Holiday) Applied
Medical	\$269,957.10	August 27, 2013
Dental	\$15,087.45	August 27, 2013

**Detailed breakdown by medical billing group:**

Medical Billing Group Name	Amount of Return
EXETER FIRE	\$52,933.51
EXETER HIGHWAY	\$42,646.68
EXETER LIBRARY	\$13,343.24
EXETER NHRS	\$32,339.41
EXETER POLICE	\$56,540.89
EXETER TOWN	\$47,933.64
EXETER WATER/SEWER	\$24,219.73

**Detailed breakdown by dental billing group:**

Dental Billing Group Name	Amount of Return
EXETER FIRE	\$2,931.54
EXETER HIGHWAY	\$2,982.15
EXETER LIBRARY	\$664.74
EXETER NHRS	\$1,174.33
EXETER POLICE	\$3,114.88
EXETER TOWN	\$2,761.74
EXETER WATER/SEWER	\$1,458.07

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**HealthTrust Board of Managers' Return of 2011 Surplus Amounts**

Return of surplus amounts as approved by the Board and previously announced for CY2011:

Coverage	Amount of Group Return	Check or Credit ( <i>Contribution Holiday</i> ) Applied to Invoice
Medical	\$108,372.76	August 2013
Dental	\$16,371.71	August 2013

**Detailed breakdown by medical billing group:**

Medical Billing Group Name	Amount of Return
EXETER FIRE	\$20,351.17
EXETER HIGHWAY	\$15,600.91

EXETER LIBRARY	\$4,981.21
EXETER NHRS	\$13,941.36
EXETER POLICE	\$23,213.26
EXETER TOWN	\$19,298.64
EXETER WATER/SEWER	\$10,986.21

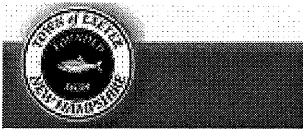
**Detailed breakdown by dental billing group:**

Dental Billing Group Name	Amount of Return
EXETER FIRE	\$3,241.55
EXETER HIGHWAY	\$2,798.55
EXETER LIBRARY	\$643.72
EXETER NHRS	\$1,379.37
EXETER POLICE	\$3,539.44
EXETER TOWN	\$2,898.47
EXETER WATER/SEWER	\$1,870.61

**Total Return to be Distributed in August 2013**  
(Combination of CY2010 and CY2011)

Total return amounts to be distributed as a credit (*Contribution Holiday*) or check during August 2013 for Town of Exeter:

Coverage	Amount of Group Return
Medical	\$378,329.86
Dental	\$31,459.16



Russ Dean &lt;rdean@town.exeter.nh.us&gt;

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**HB630****Rick Minard** <rminard@communityloanfund.org>

Fri, Jun 28, 2013 at 2:12 PM

To: Don Woodward &lt;dwoodward@berkshiremfp.com&gt;, Russell Dean &lt;rdean@exeternh.gov&gt;

Russ:

Yes, both houses passed HB 630 and it is awaiting the Governor's signature. The bill requires the Public Utilities Commission to allocate "at least 15%" of the proceeds from the Regional Greenhouse Gas Initiative's carbon auctions to pay for weatherizing low-income housing. This should keep a modest revenue stream open for the community action agencies' weatherization work, even if the federal appropriations decline. The money can go to any type of housing and is unlikely to be focused on manufactured homes, as our grant had been.

We've met a few times, Russ, and I would welcome a chance to work with you more closely.

You can reach me at 856-0754.

Rick Minard

Vice President for Policy

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**From:** Don Woodward [mailto:dwoodward@berkshiremfp.com]**Sent:** Friday, June 28, 2013 12:49 PM**To:** Russell Dean**Cc:** Rick Minard**Subject:** RE: HB630

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