

Select Board Meeting
Monday, July 9th, 2018, 7:00 p.m.
Nowak Room, Town Office Building
10 Front Street, Exeter NH

1. Call Meeting to Order
2. Public Comment
3. Minutes & Proclamations
 - a. Proclamations/Recognitions – Exeter Sports Teams: Baseball 2018 and 2017, Girls Track, Girls Swimming/Diving, Unified Basketball
 - b. Proclamations/Recognitions – Parks/Recreation Month
4. Approval of Minutes
 - a. June 18th, 2018 – Regular Meeting
 - b. June 25th, 2018 – Work Session
5. Appointments – Historic District Commission, Budget Recommendations Committee
6. Discussion/Action Items
 - a. Downtown Sidewalks - Accessibility Discussion
 - b. Proposal for short term rental of Municipal Lot space
 - c. Engine 4 Lease Documents
 - d. Adoption of 2018 Hazard Mitigation Plan
7. Regular Business
 - a. Tax, Water/Sewer Abatements & Exemptions
 - b. Permits & Approvals
 - c. Town Manager's Report
 - d. Select Board Committee Reports
 - e. Correspondence
8. Review Board Calendar
9. Non-Public Session
10. Adjournment

Julie Gilman, Chair
Select Board

Posted: 7/6/18 Town Office, Town Website

Persons may request an accommodation for a disabling condition in order to attend this meeting. It is asked that such requests be made with 72 hours notice. If you do not make such a request, you may do so with the Town Manager prior to the start of the meeting. No requests will be considered once the meeting has begun.

AGENDA SUBJECT TO CHANGE



TOWN OF EXETER, NEW HAMPSHIRE

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

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Designation of July as Park and Recreation Month

WHEREAS parks and recreation programs are an integral part of communities throughout this country, including the Town of Exeter; and

WHEREAS our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS the Town of Exeter recognizes the benefits derived from parks and recreation resources

NOW THEREFORE, BE IT RESOLVED BY THE SELECT BOARD that July is recognized as Park and Recreation Month in the Town of Exeter, New Hampshire.

Julie Gilman, Chairman

Kathy Corson, Vice Chair

Molly Cowan, Clerk

Anne L. Surman, Select Board

Don Clement, Select Board

Russell Dean, Town Manager

Draft Minutes

Select Board

6/18/18

1. Call Meeting to Order

Present at this meeting were Anne Surman, Kathy Corson, Julie Gilman, Molly Cowan, Don Clement, and Russ Dean. The meeting was called to order at 6:50PM by Ms. Gilman.

2. Board Interview – Historic District Commission

The board went downstairs at 6:50PM to interview candidate Linda Allen for the historic district commission. The board reconvened at 7:00PM.

3. Bid Award – Engine 4 Replacement

Fire Chief Comeau presented the fire department's recommendation for the Engine 4 replacement. They had received 3 bids, and are recommending Greenwood Fire Apparatus. The department already has two of their engines in operation. The total bid price will be \$500,214. It will take 300 days to build the engine. If the town decides to pre-pay, the price will be reduced further to \$489,916. This means that the town would pay for the engine and then wait the 300 days to have it delivered, as opposed to paying after delivery.

Mr. Dean said that one option would be to use a performance bond to protect against the pre-pay option in the unlikely chance that the company does not deliver or goes out of business. Mr. Clement clarified that the pre-pay option has been done by the town before. Mr. Dean said that they would go through Tax-Exempt Lease Financing, who would cut the check to the company. Mr. Clement asked if they would need to reequip the new fire engine. Mr. Comeau said the bid included a new radio, and some other additions. The hose and nozzles will also be transferable. The only equipment to buy would be what is out-of-service, and would be included in next year's budget.

MOTION: Ms. Surman moved to approve the \$489,916 pre-pay option from Greenwood Fire Apparatus for a new fire engine, using the Tax-Exempt Lease Financing or a like leasing company. Mr. Clement seconded the motion, and it passed unanimously.

4. Public Comment

Darius Thompson followed up on his last public comment about the Holiday Parade storage bin materials that were taken without his permission. Ms. Gilman said that the lock was offered to be paid for, and they would like to move the supplies to town property owned by DPW. They are currently being secured at a private business in town. Mr. Clement said he would like the board to vote on it being moved since the current storage has worked without prior issues. The holiday parade supplies are owned by the parade, not the town.

Mr. Thompson also asked the board to look into the possibility of the water/sewer rates decreasing after the wastewater treatment plant is finished being paid for. He also said that other towns had done that. Mr. Dean said that the SRF loan is being used to build the wastewater plant right now.

The loan will not be paid off for another 20 years. Mr. Thompson suggested the current board can put something into writing about the rates going down in accordance with the loan repayment.

Bette Henneberry, who ran the holiday parade before Mr. Thompson, said that she would like to see the holiday parade supplies stay at their current location.

Karen Desrosiers talked about the arts committee and the recent events that have occurred. She emphasized the positive aspects of the committee and its contribution to Exeter's arts community. She believes that the Select Board should not have taken action against the arts committee and felt that they were singled out. She read from a prepared statement (see Attachment 1) and announced her resignation from the committee.

Ms. Gilman said that the action to put the arts committee meetings on EXTV was meant to provide support so that all claims would be publicized. She said she was sorry to see Ms. Desrosiers leave the committee and thanked her for her contributions. Ms. Corson agreed that the motion was not in any way against the arts committee. She said that the filming would show that the committee is doing a great job.

Ms. Desrosiers said that the committee would have agreed to being filmed, but they would have liked time to discuss it. They could not discuss it due to disruptions during their last meeting. The committee felt like it was imposed on them. She said that it was widely viewed as a punitive action.

Mr. Clement thanked Ms. Desrosiers and said that he is very upset about this issue. He said that he hopes that the board will voice their strong support for the arts committee.

MOTION: Mr. Clement moved to ask the arts committee members who have resigned to reconsider their resignations. Surman seconded the motion, and it passed 3-2-0 with Ms. Gilman and Ms. Cowan voting nay.

Ms. Cowan explained that she felt uncomfortable with the motion, because she did not want to vote to ask the committee members to reconsider something that had clearly been well thought-out. She did want to recognize their volunteer work and the arts committee. Kathy Thompson asked what would happen differently in terms of support from the Select Board if they did reconsider. Darius Thompson said that, without support from the town, there will be fewer and fewer volunteers in the town. He thinks any town appointed board should have support from the Select Board and town manager. Also, he reminded them that all of the issues had been well-documented. Bette Henneberry said that she was disappointed with the Select Board about their inaction.

Bill Childs said he was a member of Exeter arts committee until recently. He talked about the beginning of the arts committee and the gallery in the town hall, and doesn't want to think that the board doesn't value what the committee has done. Karen Noonan said that the body language of the Select Board members was obvious and spoke for itself. She also informed the board that Irene Hall had also resigned from the committee.

Ms. Surman prepared a statement about this topic after the board had received resignations from six committee members, leaving only one member to the arts committee. The common agreement in their letters was about not getting support from the Select Board and the town manager. As the arts committee representative, she stated that she hadn't seen anything but dedication towards the arts in

all form and by all people and said that any claims of bias were unfounded. She read her statement for the board and public (see Attachment 2).

Ms. Gilman said that she never doubted the information given to the board, but felt that choosing a course of action against a group that is not part of the town was too risky due to liability issues. The board cannot do anything to change the group's behavior. Mr. Clement suggested that the board should reaffirm that the arts committee has control over the gallery. Anyone unhappy with their decision can come to the Select Board and not the town manager or the arts committee. Ms. Cowan said that she felt that any committee in control of a budget or permits should be on TV. Ms. Surman disagreed with this.

Darius Thompson said that board needs to set the rules and enforce them, and believes that the board should call out the people that have been causing issues.

MOTION: Mr. Clement moved that the board reaffirm that the arts committee is responsible for managing and scheduling the 2nd floor arts gallery. Ms. Surman seconded, passed unanimously.

Ms. Corson asked what happens now because there is only one member on committee, so there is no quorum.

Darius Thompson brought up the holiday parade, which doesn't technically control a budget but receives funds from the town to support the parade. All of their invoices and any expenses are on record. He said that potentially filming the holiday parade and forcing them to meet under 91A would make finding volunteers more difficult.

Ms. Cowan said that the purpose of videotaping wouldn't be necessarily to enforce 91A, but to make sure that transparency is achieved for all parties involved.

Ms. Surman thinks that the processes need to be transparent, but the details don't necessarily have to be laid out. She brought up human services committee as an example. Mr. Clement didn't feel that the board had the authority to require being filmed. Ms. Gilman said that she disagreed, and that the board does have that authority.

5. Minutes & Proclamations

a. Proclamations/Recognitions

There were no proclamations or recognitions at this meeting.

6. Approval of Minutes

a. June 4th, 2018

Ms. Surman requested that on page 5, discussion was added to motion stating that she felt that the arts committee was being singled out. Mr. Clement asked for his written statement to be included on page 3 of the minutes.

MOTION: Mr. Clement moved to approve the minutes from June 4th, 2018 as amended. Ms. Cowan seconded the motion, and it passed unanimously.

Mr. Clement asked about drainage issues that were brought up at the last meeting. Mr. Dean said that he looked into the issue, and they would be handled as a regular budget item, not as part of the Lincoln Street project.

7. Appointments – Zoning Board of Adjustment

MOTION: Ms. Corson moved to appoint Esther Olson Murphy as an alternate member to the ZBA, term to expire 4/30/2020. Ms. Surman seconded the motion, and it passed unanimously.

8. Discussion/Action Items

a. WW Lagoon Sewer Odor Update

Jennifer Perry, director of Public Works, said that the department has been adding additional aeration units to lagoon number 1 to improve the odor. They have also moved units from other lagoons and have ordered new parts to make the aeration more efficient. They had not received recent complaints. Wright Pierce and Bowker Associates sent a memo stating that the gas is hydrogen sulfide which is from the sludge and is detectable at extremely small levels. The level of gas at all times was measured as safe.

She also stated that one of the biggest challenges to wastewater is flushable wipes, because they get caught in the lagoons and need to be mechanically removed. They clog aeration systems, which makes the odor worse. The department could also add a chemical nitrate compound, which would add nitrogen to the system, but they are reluctant to do that. She explained that aeration of just the upper level serves as a “cap” that reduces odor. Essentially, the sludge needs to be given time to settle.

Ms. Cowan said that the town should communicate not to flush wipes down their systems. Ms. Perry agreed and said that they have done outreach in the past about it. Ms. Surman also wanted to emphasize that the odor is not a health concern. Ms. Perry said that James Murray, the town health officer, and DES were on location during testing. Mr. Murray also wrote a public information message that is on the town website. Mr. Dean said that there is a page on the website devoted to the lagoon order, and a public statement was released. Mr. Clement asked if they had reached out to Megan Eddy from last week’s meeting, and Ms. Perry said that they could.

b. WWTF Contract Amendment: Long Term Nitrogen Control Plan

Ms. Perry explained that the amendment is due to EPA by September 30th. They have been working on the nitrogen control plan as part of the overall efforts to get nitrogen under control. There are five tasks to be completed. They need to come before the board with Wright Pierce and Horsley Witten to talk more about the plan in detail. Since the work can be expensive, she suggested focusing on the biggest control methods. She also emphasized that if they do not get board confirmation tonight, they will need to submit for a second extension.

Mr. Clement asked if the contractors used the report from the last nitrogen control plan for the Exeter-Squamscott river, and if the target was still to get down to 88 tons of nitrogen in Great Bay. Ms. Perry said she would have to check on the current target, but the previous report was used. Mr. Clement also asked if the plan to remove 33,000 pounds of nitrogen would get them to their goal. Ms. Perry replied that the earlier memo from November is only a few suggestions and guidelines, and they have

not done the study yet. The majority of the nitrogen (about 75%) is coming from nonpoint sources, and is difficult to remove.

Mr. Clement clarified that the contract amendment is to develop the nitrogen control plan for nonpoint and point sources. He asked what fund it would get paid out of. Ms. Perry said it would come from the wastewater treatment plant funds. The nonpoint aspect is not attributable to the wastewater plant, so Mr. Clement did not feel that the ratepayers should have to pay for all of that. Ms. Perry said that the stormwater budget could also accommodate for some of this.

MOTION: Ms. Corson moved to approve amendment 1 to the engineering report phase contract for nitrogen control plan study in the amount of \$69,600. Ms. Surman seconded the motion, and it passed unanimously.

MOTION: Ms. Corson moved to approve the resolution as written. Ms. Cowan seconded the motion, and it passed unanimously.

c. SRF Loans: Asset Management Plans for Wastewater and Stormwater

Ms. Perry said that there were two warrant articles about this approved in March. They will be issuing an RFP for both at the same time using a single consultant. This plan would help identify the highest risk areas and is a valuable tool.

MOTION: Ms. Corson moved to enter into and approve a loan agreement with DES in the amount of \$60,000 to Exeter, and to authorize the town manager to sign the relevant paperwork. Ms. Surman seconded the motion, and it passed unanimously.

d. Lincoln Street Project Phase 2 – Construction Administration Contract

Ms. Perry included a memo from Jennifer Mates about the contract amendment with CMA Engineers. The amendment is for \$235,000, which is about 7% of the total cost. She said that CMA is a good company to work with, and they have worked with them in the past. Also, the additional \$235,000 is still within the voter approved budget.

MOTION: Ms. Surman moved to approve the amendment for construction phase services with CMA engineers for \$235,000, and to authorize town manager to sign. Clement seconded, unanimous.

e. LCHIP Grant Application (Raynes Farm)

Bill Campbell, chair of Exeter conservation commission, talked briefly about the history of the Raynes farm property which was acquired by the town in 2002. The land reminds the town of its agricultural and rural history, and was added to the state register of historical places in 2017. The barn requires a lot of upkeep, and doing it piece by piece has been a challenge to the commission. The property is also used for a lot of different events, but due to the barn's condition it is rarely used itself.

The Raynes Farm Stewardship committee and Parks and Rec. have had ideas for many uses for the barn. The remaining repairs need to be completed and will prepare the property for more regular, smaller maintenance. They are applying for an LCHIP grant, which requires a 50% match from the commission. The remaining repairs would be about \$240,000. which they would like to include as a CIP budget item, dependent on receiving the LCHIP grant. In order to move forward, they are asking for the support of the Select Board in the concept of this and supporting the application.

Ms. Gilman asked if they are more likely to get the grant if they show they already have the match. Mr. Campbell said that in 2002, they did it using a warrant the same year they received the grant. He also said that they would have two years to make use of the grant. He also thanked Kristin Murphy for her work on the application.

MOTION: Mr. Clement moved to apply for the LCHIP for \$140,000 and to authorize the town manager to sign the land owner acknowledgement and Julie Gilman to sign the governing body acknowledgement. Ms. Cowan seconded the motion, which passed unanimously.

f. Kayak Cradle Donation

Greg Bisson informed the board that the Exeter Lions board wants to donate \$1,800 to purchase a kayak cradle, which allows a smooth transition into the water and will prevent traffic congestion in the water. The total cost is \$2,500 which could come from the recreational revolving fund. They need DES approval for this as well as Select Board approval. There are rules for the cradle that were recommended by Primex. There are also ordinances posted at the dock. Mr. Clement suggested also amending the ordinances in the future as well as posting the rules.

Mike Baillargeon, president of the Exeter Lions Club said that Lions International encouraged them to do something special for the town that they work with. They recently helped to refurbish benches and repaint rail tracks. This is another part of their ongoing legacy project to Exeter.

MOTION: Mr. Clement moved that the parks and rec. department accept the \$1,800 donation from the Exeter Lions Club for the installation of the kayak cradle to the town dock. Ms. Cowan seconded the motion, and it passed unanimously.

MOTION: Mr. Clement moved to approve expending \$700 from the recreation revolving fund for the installation of a kayak cradle. Ms. Surman seconded the motion, and it passed unanimously.

MOTION: Mr. Clement moved to have the parks and recreation department create and post temporary kayak cradle launch rules at the public dock. Ms. Cowan seconded the motion, and it passed unanimously.

9. Regular Business

a. Tax, Water/Sewer Abatements & Exemptions

MOTION: Ms. Cowan moved to approve the abatement for \$797.74 for: map 72, lot 222, unit 2. Mr. Clement seconded the motion and it passed unanimously.

MOTION: Ms. Cowan moved to approve the abatement for \$6,048.69 for: map 55, lot 75, unit 100. Ms. Corson seconded the motion and it passed 4-1-0, with Mr. Clement voting nay.

MOTION: Ms. Cowan moved to approve the abatement for \$219.52 for: map 110, lot 2, unit 11. Ms. Corson seconded the motion and it passed unanimously.

MOTION: Ms. Cowan moved to approve the abatement for \$128.96 for: map 110, lot 2, unit 8A. Ms. Corson seconded the motion and it passed unanimously.

MOTION: Ms. Cowan moved to approve the abatement for \$134.74 for: map 110, lot 2, unit 8A. Ms. Corson seconded the motion and it passed unanimously.

MOTION: Ms. Cowan moved to approve the abatement for \$88.34 for: map 110, lot 2, unit 8A. Ms. Corson seconded the motion and it passed unanimously

MOTION: Ms. Cowan moved to approve the abatement for \$68.23 for: map 110, lot 2, unit 16. Ms. Corson seconded the motion and it passed unanimously

MOTION: Ms. Cowan moved to approve the abatement for \$198.10 for: map 110, lot 2, unit 118. Ms. Corson seconded the motion and it passed unanimously

MOTION: Ms. Cowan moved to approve the abatement for \$3,003.59 for: map 86, lot 4, unit 2. Ms. Corson seconded the motion and it passed unanimously

MOTION: Ms. Cowan moved to approve the abatement for \$198.10 for: map 70, lot 107, unit 1. Ms. Corson seconded the motion and it passed unanimously

MOTION: Ms. Cowan moved to approve the excavation tax for \$197.56 for: map 113, unit 5. Ms. Corson seconded the motion and it passed unanimously

The exempt property reviews will be followed up on at the next meeting, because they were not included in this meeting's packet.

b. Permits & Approvals

MOTION: Mr. Clement moved to approve the use of the town hall and bandstand by Scott Ruffner of TEAM Exeter for June 7th 2019 from 4:00PM-10:00PM. Ms. Corson seconded the motion and it passed unanimously.

MOTION: Ms. Surman moved to approve the use of the town hall and balcony by Diane Bitter of the Rockingham County Republican Committee on July 11th from 7:00PM-9:00PM. Ms. Corson seconded the motion and it passed unanimously.

Ms. Gilman asked about the application form, which has different formats. Mr. Dean said he will see which formats are on the town website.

c. Town Manager's Report

Mr. Dean said that rec camp will open on 6/19/18. Dave O'Hearn had a request about the boat ramp, and are working on making repairs to that boat ramp. Mr. Clement asked Mr. Dean to make sure to get back to board when an action is taken on an email request, especially when the entire board is included on the email.

There was an incident with the gates at train on Front Street. The response from Pan Am was that the gates were functioning properly. The Water Street project is going well, and Lincoln Street phase II is underway. The Economic Development department is looking for volunteers to help with a business retention program with UNH Cooperative Extension. He also let the board know that the attorney general's office reviewed the 53A agreement with Hampton about sewer charges, and came back with some changes. Next Tuesday is the Criterion bike race on June 26th at about 4:30PM. The TIF work on Epping Road is continuing, and Washington Street is on the paving schedule.

d. Select Board Committee Reports

Mr. Clement sat in on planning board meeting for Ms. Corson. They approved the dental office on Hampton Road. Mr. Shafmaster asked for some waivers from impact fees for schools, and the planning board denied that. He also requested a waiver for 75% of the recreational fee, which was approved. Mr. Clement also attended a Swasey trustee meeting. One thing brought up was that part of a large tree had washed up on the riverbank behind the pavilion. He asked if they could have that removed. Mr. Dean said that there is a river hazards policy, and they can price it out to see how much it would be.

Ms. Cowan attended a housing committee meeting, which has a regional housing discussion from 11AM-1PM on June 19th. They will be talking about ways to communicate how we need to increase affordable housing.

Ms. Corson had nothing to report.

Ms. Surman attended an E911 meeting, but had nothing specific to report at this time. She also attended the conservation commission meeting for Mr. Clement, where she went on a site walk for conservation land at Rose Farm development. They had a lively discussion afterwards. Exeter High School will have an EPA event on PFOAS coming up. There are also more events in the Fall at Raynes Farm.

Ms. Gilman went to an energy committee meeting about electric vehicle charging stations. The committee wants to put in one in the town as a trial. There are cars in town that are fully electric, and the charging stations are public property. The cost would be \$2,500-\$10,000, depending on a number of factors. Ms. Corson asked why the town would install public charging stations if the cars are privately owned. She pointed out that everyone else pays for their own fuel. Ms. Cowan asked for more information on how other towns handle this issue. Ms. Gilman also reported that the heritage commission received a grant for \$20,000, for a survey of the Park Street area for a potential historic district.

e. Correspondence

There was a letter of donation for the kayak cradle. There is a letter informing them of grant provision from Division of Historical Resources. There is a report of the Select Board goal setting session. There were multiple letters of resignation from the Exeter arts committee members. There was also a letter about Swasey parkway trustee meeting about a permit that was denied. Finally, there was a recommendation from Skip Barrien to put together a commission about improving the arts community in town.

Mr. Clement said that he would like more email correspondence to be included in the packet, especially when it comes to the majority of the board. Ms. Gilman said that she held one out of the packet because it named a specific personnel member, but it is available for people to ask for.

10. Review Board Calendar

There will be a board work session on 6/25/18 at 5:30PM. The next regular meeting will be on 7/9/18.

11. Non-Public Session

MOTION: Ms. Corson moved to go into non-public session under RSA 91A:3 section 2, to discuss land acquisition. Mr. Clement seconded the motion, and it passed unanimously by roll-call vote.

The Board emerged from non public session. Selectwoman Gilman motioned to seal the minutes until the action is completed. Selectman Clement seconded. The motion carried unanimously.

Selectwoman Corson motioned to adjourn. Selectwoman Surman seconded. Motion carried, the Board stood adjourned at 10:00 p.m..

Respectfully submitted by recording secretary Samantha Cave.

Attachment 1:

Karen Desrosiers

*Writer * Artist * Teacher*

41 Washington Street, #3
Exeter, NH 03833

(603) 580-2066

www.karendesrosiers.com

kdesrosiers@ttlc.net

June 18, 2018

To the Town of Exeter Board of Selectmen:

I have been blessed to be an active member of the Exeter arts community for nearly twenty years. And I am grateful that I had the opportunity to spend the past twelve years of that working with and then on the Town of Exeter Arts Committee.

In my time on the Arts Committee, we have supported countless local artists, worked with numerous area organizations, and presented many wonderful exhibits and events. The EAC has hosted Youth Art Month for the SAU16 schools for about twenty years, and the event grows bigger each year, with over 1200 visitors to the gallery this past March. We hosted an exhibit for inmates of Rockingham County Department of Corrections, which was well-received by the administration, as well as the inmates' families – it was one of the most powerful, moving exhibits I've had the honor to work on. We sponsored music on the bandstand for three summers and have provided a number of other interdisciplinary arts events for the community. We've managed the display of art in the Town Offices building for over 25 years and have grown the exhibits in the gallery from a couple per year to almost every month of the year. The exhibits that the Arts Committee hosts are open to all artists, without exception, and are extremely affordable for artists, as we take no commission from sales. The mission and efforts of the Arts Committee has always been to foster an all-inclusive arts community, using the principle of the-more-the-better, with no other agendas. The Arts Committee has managed the Exeter Town Hall Gallery in the truest sense of a community gallery, solely for the benefit of area artists.

I put in a minimum of 25 volunteer hours per month for this town and at least twice that in March for Youth Art Month and December for the annual holiday events. That's nearly 4000 volunteer hours for Exeter.

I've done this work for the Exeter community because I believe in the power of the arts to bring people together, to enrich, educate, and heal. In an April 2017 letter to the editor I said: "The Arts Committee has always done and been good at doing visual arts—that's why the committee was formed. There is another organization in town that is good at doing music and performing arts. There is space for both. There is a need for both. There is space for overlap, cooperation, and collaboration...It is heartbreaking that 'the arts', which should bring joy and connection, are being used to divide the community." I still firmly believe this and will always believe this.

I could tell you about how the experience of the past three years has impacted my health, my sense of safety, my peace, my job, and how I'm done being slandered, harassed, yelled at. But what's

happening in Exeter is bigger than that. What's happening is not in support of the arts or community in Exeter, and it's a game I'm not willing to play. The community loses here. The arts community is going to become less diverse, less robust, just less in every way.

One of my favorite quotes is from Maya Angelou: "In diversity there is beauty and there is strength." I believe this applies to all aspects of life. This conviction, as well as the fact that I have a mixed-race child and many other reasons, are why I find it frankly ludicrous to have a false allegation of discrimination leveled against the Arts Committee, and therefore me, at the June 4th Board of Selectmen meeting. For the select board to take clearly punitive and disrespectful action against the EAC shortly after and appear to validate that fictional claim was unacceptable.

I had hoped, when the previous problems within the committee were resolved last spring, that we would be able to go back to providing arts for the community, putting exhibits together, and supporting artists with positivity and peace. And we've tried, damn hard. We rebuilt the committee and have done a lot of fun work for the community in the past year. Unfortunately, it has not been enough to stop the virus of negativity, spite, ignorance, and hate. I have refused to take the bait, to come forward and respond to or defend myself and the committee against the false accusations, slander, and defamation because as Michelle Obama said, "When they go low, we go high." I have not seen the need to spread dirt about anyone, no matter what they say about me. But, make no mistake, my silence was never affirmation and the accusations leveled against me and the committee are false.

To paraphrase Robert Kennedy, what we need is not division, what we need is not hatred, what we need is love and wisdom and compassion. And John F Kennedy said, "Tolerance ... condemns the ... persecution of others." I hope this community, Exeter, will move toward these ideals for everyone's sake.

I love doing this work, but I don't like being persecuted for it. I will miss the work I do, have done, with the Exeter Arts Committee, and in many ways I am punishing myself for other people's bad behavior. I have reached the point where altruism must succumb to self-preservation, at least for a while. It is time for me to get back on a path of building an arts community that is respectful as well as inclusive, and mutually supportive, that is appreciated and appreciative, in a community that is focused on the power of creativity rather than competition and destruction. That's my dream, though it just might not be possible in Exeter.

The Town Hall Gallery space provided by the town is truly a unique treasure and gift, and it's up to you to protect it. I hope that you will find a way to keep it and keep it safe. I would remind you that the 2018 Exeter Master Plan states: "Exeter will continue to maintain a committee in our local government for the support and proliferation of arts within the community." I urge you to actually support that committee and its work moving forward.

As the Buddha said, "I do believe in a fate that falls on them unless they act." Effectively immediately, I resign from the Town of Exeter Arts Committee. I will drop off keys and final reports on Tuesday, June 19, 2018. Thank you.

Best regards,

A handwritten signature in black ink, appearing to read 'Karen Desrosiers', with a horizontal line extending to the right.

Karen Desrosiers

Attachment 2:

Good Evening,

I am inclined to make a brief statement tonight in regard to letters in tonight's packet and public comment from our last Selectboard meeting. I do so, in light of the fact that we just heard Ms. Derosiers resignation from the Town of Exeter's Art Committee. In the last week, the board has received resignation letters from, the current in chair of the EAC, Ms. Kathy Thompson, also, resignations from Mr. Dean Scott, Mr. Darius Thompson, Ms. Karen Noonan, Ms. Kelly Nagle: six members have resigned, leaving us with two members to run the affairs of this very active and vital town-sponsored committee. The common theme in all the letters has been non-support by this Selectboard and Town Manager. I couldn't agree more. Why have these long-serving members resigned from a committee that they have enjoyed and enhanced over the years? Simple. They were bullied and harassed by people and supporters from a private organization called, "TEAM" and by a former Selectman, Dan Chartrand. Ironically, in my first three years as a member of this Selectboard, Mr. Chartrand was the Selectboard Representative to the Town of Exeter Arts Committee. He rarely, if ever delivered a report to the board, leaving most of us in the dark about any problems that might have been brewing. I chose to become the rep to the Art Committee in my 4th year as a Selectboard member. I did not know anyone, on that committee prior to attending my very first meeting. In the year and months since, I have witnessed nothing but dedication, passion and support for arts of all varieties: on canvas, on stage, with instruments of music, with a camera: young people, older people, all people of every description and art form have been welcomed by this committee to perform or display their art. The notion of "bias", "exclusivity" or non-inclusiveness is absurd, unfounded and without merit.

In our last BOS meeting, our chair, Ms. Julie Gilman began the meeting with a very strong statement in regard to this situation. I was very pleased and hoped that she had an action plan to support her words. Unfortunately, within seconds of Mr. Chartrand expressing his distress with Ms. Gilman's statement, Ms. Gilman backed down so that that her original points, became muddied and lost in the public comments that followed: Public comments that continue to bully the Art Committee members and myself. I have been called out by Scott Ruffner and by Dan Chartrand on more than one occasion in public meetings, so that is why I am naming them tonight. Bullying comes in many forms. Mr. Chartrand chooses the passive-aggressive approach. Mr. Ruffner, who in the last meeting stated that he was not a bully not only uses the passive aggressive approach but is relentless in his attempts to intimidate members of committees to get exactly what he wants. He states no willingness to compromise. Incidentally it is somewhat amusing that he would state that he is not a bully. It is not up to the bully to say that he is or he is not one. The recipients of his attacks feel bullied, so, it is of little consequence what the perpetrator of the action may think of himself. The actions are of a relentless and continuing nature with no basis in fact.

Ms. Gilman's solution to the problem is for the Selectboard to have a work session and review application policies and procedures for EVERY Committee or Board that has facilities that can be applied to for various uses. Ms. Corson's solution was to make a motion to mandate that the Town of Exeter Art Committee meetings be recorded live in the Nowak Room starting with the next meeting. Hmm. I fail to see how either of those options solves the problem. I would call on Ms. Corson or one of the others who voted in favor of that motion to bring forth a motion to reconsider since with a broad brush, that 3-2 vote put an obligation on one board that in no way answers the question of the harassing situation that is the elephant in the room.

We all talk about civility. We talk about it too much. We have taken no action. What I had hoped was that as a board, that night, we would come to a decision: call out the intimidators and let them know that based on facts, their issues are unfounded. Their applications for use of the Gallery have been taken under consideration and voted on in the same way as every other group or organization or person that has come before them. This Selectboard has heard what TEAM and its supporters has had to say, and while we can't change how they may feel about the situation, no evidence exists to support their continued harassment of this Town-sponsored committee. The Town of Exeter Art Committee has provided this board with detailed documentation about the past and recent past leading up to the actions of resignations that are evidenced in this packet. It is a very sad state of affairs when people that were appointed by the Selectboard had to be let down by this Board.

We need to do a better job of supporting all our boards, especially our volunteer boards. It is shameful that we have not supported this committee. They have been driven to resign from a committee in frustration due to our lack of action. I am very disappointed in this board and myself. Clearly, I did not express my concerns in public loudly enough.

Anne L. Surman, Selectwoman
June 18, 2018

Select Board

Draft Minutes

Work Session: Events Application and Use Policy

6/25/18

Attending the work session were Anne Surman, Kathy Corson, Julie Gilman, Molly Cowan, Don Clement, and Russ Dean. The work session began at 5:30PM.

The board decided to begin by going over the draft policy they had received. Ms. Gilman began with section 5, which stated the order of preference to permitting town spaces to different entities. Mr. Clement wanted to define a municipal function as opposed to a civic event. Ms. Gilman said she would like the word civic to be removed. Mr. Dean said that some events in the past have had outside organizations come under town-sponsorship, such as the annual Powderkeg festival. A municipal event would be functions held by Town of Exeter departments, board meetings, administrative events, and so on. Ms. Gilman suggested having three separate categories for permitting entities in an order of preference being municipal events, school events, and other.

The board decided that the only time the preferences would come into play were if there was a conflict. In the case of a conflict, the board decided that applications received on the same day would be first-come, first-served. In addition, Exeter-based organizations would take preference in this case. The board also talked about the public events calendar, which is on the Exeter website and is available for anyone to view. Mr. Clement suggested bringing up the calendar to the communications committee so that more people know about it. Sheri Riffle said that conflicts are usually not an issue, depending on a willingness to compromise dates. Mr. Dean did point out that recently, there has been more interest in using town property. Also, there are multiple permitting authorities currently, which means there is not always consistency.

Mr. Clement asked what would happen if there is an event that has significance or is important. Ms. Corson said that, judging by the recent warrant article that was approved, residents want Exeter-based events to take precedence in the town. The board discussed the note at the bottom of section 5, and it was suggested adding that organizers would have to request town co-sponsorship. Ms. Gilman also wanted to clarify that filming by EXTV or using town equipment does not equal sponsorship. They also further defined what constituted the "town".

Ms. Surman asked about the responsibility for Swasey Parkway and the library, which right now are permitted by their trustees. Mr. Clement suggested having all events come to the Select Board for scheduling and permitting to make the process consistent. Ms. Corson also

brought up the art gallery space, which is permitted by the arts committee. Ms. Surman said that she thought permitting should stay with the trustees. Mr. Dean pointed out that the library trustees fall under an RSA, but the Swasey trustees were created by the town in the 1930's and are responsible for the maintenance of the park. Ms. Corson agreed that having the Select Board as the permitting body would make it more consistent. Mr. Clement also said that the Select Board manages all town-owned property by state statute, unless it is voted on by the town to be managed by another body.

Mr. Dean said that their overall goal is to make the process easier and more functional. Part of the challenge is that they don't always know where the applications are in the process, because there are multiple permitting authorities. Ms. Cowan suggested using some kind of software to add applications to a calendar, see any conflicts, and be able to accept the applications. The parks and recreation department uses such a software for their own permitting. Mr. Clement cautioned against advocating the board's authority away from the town properties.

Ms. Corson said she would still want to go through each permit in case there are any issues, but likes the idea of having a real-time calendar. Ms. Riffle said she would look at the parks and rec. software, and it might be a good idea to have some applications go for review, and some approved once they are received. Ms. Gilman suggested having parks and rec. be the overall scheduler for the town, and the Select Board would still approve applications. Parks and rec. would just need to manage the calendar. Mr. Clement felt this might be too much for the department, and it would create extra steps. Ms. Corson suggested that an online application would be great- maybe they could get an automatic notice of conflicts if sent in electronically. The board requested a demo of the software at another meeting. The board also briefly talked about the arts gallery, although they need to figure out what to do with the arts committee members recently resigning. Ms. Surman pointed out that the committee's bylaws were recently approved by the board, and the arts gallery has always been permitted separately.

Mr. Clement talked about section 8, which involves scheduling. He specifically had concerns about section 8.2, and requested a clearer definition of what the outdoor recreation facilities are. He also asked about conservation commission land, such as Raynes farm. Ms. Riffle said that there are not a lot of applications for using the town's public parks. Ms. Surman said she was worried that the board would end up with everything, and said that other groups are going to want to do some permitting so that they know what's going on their stewarded land. She liked the idea of a central calendar, though. The board suggested adding on the CC to this section because they oversee property. Mr. Dean talked about importance of having a synergistic event form.

Next, the board discussed the alcohol use policy. Mr. Clement felt that alcohol should not be served at town buildings in any circumstance due to the liability. Mr. Dean said that there is a mix of what other towns do, some ban it, and others allow it under certain circumstances. He believes there are more towns that prohibit it entirely. Alcohol use gets

complicated when it comes to the different licensing involved, the difference between tastings and full-service, etc. Ms. Gilman suggested adding the phrase “state law” in the policies, and also suggested differentiating between beer, wine and other spirits. Ms. Surman wanted alcohol to be its own section in the policy. Mr. Dean also talked about the different types of insurance with alcohol use, which are not always clear-cut.

Ms. Cowan asked if there have been problems with the alcohol use in the past. Ms. Gilman said no, but that it leaves the town vulnerable. Gerry Hamel, a Swasey trustee, said that the trustees had banned alcohol except at the Powderkeg fest. He said it took awhile for people to get used to the policy. Ms. Corson suggested banning full-service and just allowing tastings. She also said that farmer’s market are now allowed to do tastings under state law, and mentioned the economic benefit that having tastings brings to local breweries and wineries. The town insurance policy does not exclude alcohol use and they are covered.

Mr. Clement asked about section 9, where it stated that events of under 10 people did not necessarily need insurance. Mr. Dean said the question is if the town can cover them under the town policy- some smaller things are not able to provide a certificate of insurance. It comes back to the issue of town sponsorship. Ms. Corson brought up that people can get insurance as a private citizen, but wondered if it would be too cost prohibitive for some. Mr. Dean talked about the difference between using a facility for an event vs. a small gathering of people. The board also talked about what defines a commercial activity. Mr. Clement thought that anybody using a town facility should have a certificate of insurance. Mr. Dean said that other policies they looked at often separated an “event” by the number of people. The town’s current policy is to require insurance no matter what. Ms. Corson asked if they could have an insurance waiver form. Mr. Dean suggested getting feedback from Primex. Ms. Corson wanted to remove the phrase “gross negligence by a town official” from section 9.3.

Mr. Clement asked what entailed normal business hours as stated in section 11. Mr. Dean answered that they would be from 8AM-4:30PM. The board also talked about the separation of commercial vs. non-commercial activities. Right now, they do not allow town facility use for the sale of goods or for profit. Mr. Clement wanted to add in section 10 that people are not allowed to put holes in the walls at town facilities. In section 13, the board decided to say that any events need to end at 12AM. In section 4.1, Mr. Clement wanted another word besides “supplement”. In section 4.4, he asked for clarification on the amount of uses by the same user. Mr. Dean said that it would be four uses per one permit so that no one entity ends up “blocking off” a facility. The board suggested changing the language to specify that it would be “four dates per application”. Ms. Riffle said that the purpose is making sure everybody can use the town facilities equally. Ms. Surman asked to clearly define the word bandstand vs. pavilion.

The board decided to discuss the event application at another time. The public was then allowed to make comments about the town facilities policy.

Rose Bryant said she thought it was important to go over definitions and to make the policies clearer. She said that the committees should still be allowed to permit their spaces, because they know the specific logistics better, and because the Select Board is overall so busy. As far as alcohol use, she told the board that in Newfields, a permit is required as well as hiring a private server. For the preferences of organizations using town spaces, she said that she did not want use of the town space to just be based off of economic decisions. The largest events should not necessarily be given preference.

Gerry Hamel brought up that most of the parkway use are events that happen every year. He doesn't think it's a bad idea that permitting is more centralized, and said that the parkway trustees spend a lot of time on permitting even though they have a lot of other things to cover. He cautioned the board about using too many criteria. He also said it is valuable to have people work out conflicts amongst themselves first.

Mr. Clement talked about the electronic communications policy. He asked that any communication sent to the majority of board members be included in packet. He also reiterated that any electronic communication requesting an action should be addressed by the chair and sent to the town manager. He wanted to either be more consistent with this policy, or modify it. Ms. Gilman said that the board can address this issue in the future.

The next work session to discuss this would be August 20th at 5:30PM. The work session ended at 7:30PM.

Respectfully submitted by recording secretary Samantha Cave.

Committee Appointments

July 9th, 2018

Historic District Commission

Linda Allen, Alternate Member, Term to expire 4/30/19.

NOTE: There 3 other terms available, 2 for 4/30/20, 1 for 4/30/21.

Budget Recommendations Committee

Corey Stevens

Steve Ramsay

New Hampshire Town And City

Public Sidewalks and Municipal Program Responsibilities

New Hampshire Town and City, June 2012

By Paul G. Sanderson

Sidewalks are part of the public highway, but they present local officials with problems that differ from those seen in the area reserved for automobile traffic. As you consider whether your municipality should have a policy to encourage construction and maintenance of sidewalks, there are several stakeholders whom you should consult. The level of disagreement as to where and how sidewalks should be constructed or maintained may surprise you. Unfortunately, there are no easy answers to these questions. Let's describe several of the differing perspectives.

The Planner

Sidewalks are really important to the planner. The proponents of the "new urbanism" school of planning encourage the adoption of policies that promote housing, work places, shops, entertainment, schools, parks, and civic facilities essential to the daily lives of the residents, all within easy walking distance of each other. This philosophy seeks to reduce the reliance upon the automobile and increase the reliance on pedestrian travel.

Two of the guiding principles of this planning movement are (1) walkability, with a goal for pedestrian-friendly street design and most amenities located within a 10-minute walk of home and work, and (2) connectivity, achieved through development of an interconnected street grid network to disperse traffic and improve the walking experience along with a hierarchy of narrow streets, boulevards, and alleys for a pleasurable walking experience.

The planner will recommend to local land use boards that pedestrian facilities be required as part of all new or rebuilt residential and commercial projects by making them a requirement of the subdivision regulations and the site review regulations. If the land use boards adopt such a policy, it will support the goals of improving the livability, sustainability, and energy efficiency of public spaces.

Stormwater

An environmentalist concerned with stormwater would likely agree that pedestrian travel is important and should be accommodated but would have a very different idea of how the pedestrian facility should be designed and where it should be placed. Instead of a dense, compact, raised paved area, the goal is a "low impact" design (LID).

The official LID website outlines the program goals: "LID seeks to design the built environment to remain a functioning part of an ecosystem rather than exist apart from it. ... LID provides technological tools to plan and engineer any type of urban site to maintain or restore a watershed's hydrologic and ecological functions." The LID approach includes five goals: to encourage conservation measures; to promote impact minimization techniques such as impervious surface reduction; to provide for strategic runoff timing by slowing flow using the landscape; to use an array of integrated management practices to reduce and cleanse runoff; and to advocate for pollution prevention measures to reduce the introduction of pollutants into the environment.

Stormwater designers want sidewalks to be constructed at or below the level of the vehicular portion of the highway, using materials and construction techniques that will allow stormwater to infiltrate into the earth rather than run off to accumulate in retention areas. These goals are not just a wish or desire; they are consistent with the federal Clean Water Act, which is implemented through the National Pollutant Discharge Elimination System (NPDES) permit system of the U.S. Environmental Protection Agency (EPA). Many New Hampshire municipalities must comply with the NPDES Phase II stormwater permit requirements of the federal law. How future sidewalks are constructed will have an impact on how the municipality complies with these legal requirements.

Pedestrian Safety

The Federal Highway Administration (FHWA) component of the U.S. Department of Transportation has devoted a significant amount of time and research to issues of pedestrian and bicycle safety. The FHWA works closely with the Department of Transportation in every state, including New Hampshire.

The FHWA advocates a set of nine "Proven Countermeasures for Pedestrian Safety," of which the traditional raised pedestrian sidewalk is but one of the techniques available to designers. In fact, many states have chosen to simply alter the design of the shoulder area of the vehicular travel area to accommodate pedestrians rather than build a separate sidewalk. However, facilitating vehicle movement runs counter to the planner's desire to increase walkability, and the barriers often needed to safely separate cars from pedestrians prevent installation of desirable stormwater designs.

Again, these matters are not simply wishes or desires. To the extent that the municipality seeks state or federal funding for transportation related infrastructure improvements, the project must be designed to applicable federal standards. One program often used in New Hampshire for such funding is the Transportation Enhancement/Congestion Mitigation Air Quality program, which has many specific design requirements.

To make matters still more complex, in New Hampshire, Class I, II, III, and III-a highways are managed and regulated by the state Department of Transportation, while Class IV, V, and VI highways, as well as all municipal trails, are managed and regulated by the municipality. While it is certainly possible for state and local officials to confer and reach agreements about how sidewalks in these areas should be designed and constructed, the statutes remain clear as to who is in control of which class of highway and whose decision will be implemented.

For many years, the New Hampshire Department of Transportation policy has been that it will not maintain a sidewalk in any area under its responsibility other than a sidewalk on a bridge. In areas where new state highways are created or existing highways are altered, the department will not construct a sidewalk within its right of way unless the municipality commits in writing to assume all ongoing maintenance of the sidewalk. In such areas, the state department retains all control over design, location, and specifications of the sidewalk, even though it will not maintain the area once opened to the public.

Maintenance

The local public works department or the local road agent maintains public sidewalk facilities once installed and accepted as part of the adjacent highway. If the design includes a vegetated strip between the sidewalk and the traveled way, there will be concerns about vegetation control. The maintenance task may range from mowing of grassed areas to control of shrubs and trees to maintain the width and walkway and prevent the growing vegetation from interfering with the movement of people and vehicles, or interfering with overhead or underground utility installations. Vegetation maintenance is also a safety issue if the plantings begin to restrict the ability of motorists to see at an intersection, or if the plantings obscure traffic control signs or signals, or if dead or diseased portions of trees pose a hazard to motorists, pedestrians, or adjacent utilities.

The surface of the sidewalk facility requires ongoing maintenance in order to deal with cracks or deterioration of pavement materials, the influence of tree roots, or failures in drainage. Every winter and throughout the season, the sidewalk must be cleared of accumulated snow and ice. This involves more than just storm events, since the freeze/thaw cycle results in new ice formation from adjacent snow banks at unpredictable intervals. Plows used for the highway cannot be used on walkways, thus necessitating the purchase and use of specialized equipment and the dedication of sufficient operator time. The deicing salts used in the roadway may do significant damage to vegetation adjacent to the walkway, and thus different deicing strategies may be needed. Ongoing maintenance is a significant financial and operational responsibility, and in a time of reduced resources, the public works department may conclude that it does not need or desire more sidewalks to be added to its long list of responsibilities.

Entering into such an agreement is not something that should be undertaken lightly. Maintenance responsibilities are imposed by state statute. See RSA 231:3 for municipal highways and RSA 230:3 for state highways. Under New Hampshire law, sidewalks are expressly made a part of the highway, and maintenance responsibilities apply to the sidewalk. See *Gossler v. Miller*, 107 N.H. 303 (1966) and *Hall v. Manchester*, 40 N.H.410 (1860). Thus, when a municipality voluntarily assumes a duty to maintain an area which it has no duty to maintain under statute, there is a shifting of risk, responsibility, and potential liability from the state to the municipality, which could at some point result in a significant expenditure of local taxpayer funds. Under these agreements, the state department does not relinquish ownership or control of its right of way and could thereafter take actions that make it more or less difficult to maintain the sidewalk area, even if the municipality objected to the action. This could include changes in speed limits, changes in drainage structures or patterns, additions of signs, or additions of utility poles or other obstructions in the sidewalk area. There is no statute describing the duties of the state as to sidewalks on state highways, including the state highway version of the "insufficiency law." See RSA 230:78 – :82. In fact, the state is not liable for injuries occurring in the municipally-maintained areas of Class II state highways. See RSA 230:82.

There is no statute that compels a municipality to construct a sidewalk or make special provisions for the safe movement of pedestrians. In the cities, abutting landowners may be assessed up to half the cost of *constructing* a sidewalk. See RSA 231:111 – :112. However, once constructed, abutting landowners cannot be held responsible for the maintenance of sidewalks, either financially or by requiring the abutter to work on the sidewalk. See RSA 231:113 and *State v. Jackman*, 69 N.H. 318 (1898). This prevents municipalities from enacting an ordinance requiring abutters to remove snow from sidewalks at their own expense during the winter months. Municipalities are protected from liability under the "insufficiency law," RSA 231:90 – :92-a, for injuries arising out of defects in the sidewalk, and for injuries occurring during weather related hazards, in accordance with the procedures set forth in those statutes. Municipalities are not liable for injuries occurring in state maintained portions of state highways.

Access for the Disabled

Finally, public sidewalks are part of the local program of services available to everyone, and if they are provided, the federal Americans with Disabilities Act (the ADA) requires that they be made accessible to the disabled as well. The particular provision in question provides that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." 42 U.S.C. § 12132.

Until recently, there was a question about whether a sidewalk was classified as a "facility" or a "program" under this federal law. The question is important, because a "facility" which was constructed prior to the effective date of the act (January 26, 1992) need not come into compliance until it is modified. However, a "program" must be readily accessible to and useable by persons with disabilities, and this requirement

applies to all existing facilities, regardless of when they were constructed or modified. See the federal Department of Justice website (www.ada.gov/smtown.htm) for an explanation of the responsibilities of small municipalities under the ADA.

Recently, the National League of Cities joined other groups in asking the U.S. Supreme Court to hear an appeal by the City of Arlington, Texas, from a decision of the Fifth Circuit Court of Appeals. The case is reported as *Frame v. The City of Arlington*, 632 F.3d 177 (2011) *Petition for certiorari denied on February 21, 2012*, U.S. Supreme Court docket No. 11-746. The Fifth Circuit Court of Appeals found that sidewalks are a "program." The City asked the Supreme Court for review, and to find that sidewalks are "facilities," and thus preserve the discretion of municipal officials to determine when to rebuild sidewalks. The appellants argued that finding sidewalks to be a "program" could cause significant financial impact to public works programs throughout the county. The government, joined by other groups, including the AARP, argued the opposite.

The Supreme Court declined to hear the case, in part because three other federal appeals courts had previously determined that newly constructed or altered sidewalks constitute a "service, activity or program" for purposes of the ADA, making municipalities responsible for their continued accessibility. These cases are *Kinney v. Yerusalim*, 9 F.3d 1067 (3d Cir. 1993); *Barden v. City of Sacramento*, 292 F.3d 1073 (9th Cir. 2002); and *Ability Center of Greater Toledo v. Sandusky*, 385 F.3d 901 (6th Cir. 2004). In the Sacramento case, the Supreme Court had also declined to take up the City's appeal.

Since the obligation to maintain sidewalks is a "program access" obligation, the statute of limitations on an alleged ADA violation does not begin to run until the plaintiff (the disabled person) knows or should know that he or she is being denied the benefits of those sidewalks. Thus, any sidewalk must be made and kept accessible at all times. This ruling is consistent with decisions of the New Hampshire Supreme Court. See the Court Update column in the November/December 2011 issue of *New Hampshire Town and City* magazine (available at www.nhlgc.org) where we detailed in a question and answer format the result of *Tinker v. Town of Tilton*, Docket No, 2009-0012, decided June 10, 2009. The New Hampshire Supreme Court also determined that the municipality had an ongoing obligation under the ADA to keep a sidewalk maintained in all seasons to permit access by disabled persons.

The exact specification of what constitutes an "accessible sidewalk" is also an issue that is somewhat unclear. The task of defining the specification has been assigned United States Access Board. The Board is a coordinating body among federal agencies to directly represent the public, particularly people with disabilities. It includes representatives from federal departments and members of the public appointed by the President. The detailed products of their efforts are found at <http://www.access-board.gov/prowac/>, which will eventually be adopted as a federal administrative rule. These new requirements, once effective, must be incorporated into future projects that construct or alter a public sidewalk.

Conclusion

The sidewalk issue will be presented before local officials in a variety of ways, and often with conflicting advice.

Planners and advocates for the disabled will argue that increased opportunity for pedestrians is both good public policy and a reasonable accommodation for the needs of our disabled citizens. They will argue that sidewalks should be wide and flat, and well separated from motor vehicle traffic; sidewalks should be four-foot wide, free of obstructions, and contain all of the design elements which make it easier for those without sight or hearing, or with limited mobility, to negotiate the pedestrian facility.

At the same time, the environmentalist will argue for different materials, and much less of a separation from motor vehicle traffic. The key issue here is stormwater.

The road agent or public works official may suggest that the sidewalk is not necessary at all, and that the needs of the pedestrian can be accommodated within the limits of the traveled way. For them, the costs of maintenance, especially in the winter months, will suggest that the budget cannot sustain the duties imposed.

As local officials, this is where discretion is the key. There will be places where safety can only be maintained by a raised sidewalk separated from traffic by curbs or other barriers. There will be places where the amount of traffic is low, and accommodations can be placed within the traveled way. There will be places with sensitive environmental impacts where an LID compliant design is the best answer. Only by receiving all of this information and evaluating each specific site in light of all of the information can a reasonable decision be made.

Paul Sanderson is a Staff Attorney with the New Hampshire Local Government Center Legal Services and Government Affairs Department. Local officials in New Hampshire Municipal Association member municipalities may contact LGC's legal services attorneys for more information on this and other topics of interest, Monday through Friday, 8:30 a.m. to 4:30 p.m., by calling 800.852.3358, ext. 3408. School officials should contact the New Hampshire School Boards Association attorney at 800.272.0653.

Additional Resources

The following links provide more information related to topics discussed in this article:

New Urbanism (<http://www.newurbanism.org/>)

Low Impact Design (http://www.lid-stormwater.net/background.htm#howrelate_LID)

EPA, Stormwater Program (http://cfpub.epa.gov/npdes/home.cfm?program_id=6)

FHWA, Pedestrian and Bike Safety (http://safety.fhwa.dot.gov/ped_bike/)

FHWA, Highway Design (<http://www.fhwa.dot.gov/hep/>)

ADA, Small Town Responsibilities (<http://www.ada.gov/smtown.htm>)

United States Access Board (<http://www.access-board.gov/prowac/>)

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May 31, 2018
Mr. Russell Dean, Manager
Town of Exeter
10 Front Street
Exeter, NH 03833

Dear Russell,

I am in the process of purchasing the empty lot next to 11 Water Street and plan on constructing a multiuse building on it. As you can imagine trying to do this with no side yards or back yard presents a myriad of logistical problems for deliveries, equipment and just setting up for construction. Therefore I am requesting that the Town allow me to utilize a 40 foot by 40 foot section of the municipal parking lot in the left rear corner which will take up 5 parking spaces and part of the roadway. I will put up a temporary chain link fence to keep the area separate from the general parking.

I would like to arrange this for a 12 month period, although I expect it will turn out to be less. Please let me know what needs to be created to accomplish this so I can continue with the purchase knowing this very important problem is solved. Your assistance in this matter is greatly appreciated!

Very truly yours,


Elliott Berkowitz, Manager

License Agreement

AGREEMENT made and entered into by and between the Town of Exeter, a New Hampshire municipal corporation, of 10 Front Street, Exeter, New Hampshire 03833 (“Licensor” and Pairpoint Group, a New Hampshire limited liability company of Exeter, New Hampshire, 03833 (“Licensee”) this ____ the day of _____, 2018.

WHEREAS, the Licensee leases a 40’X40’ portion of property in the public parking lot in Exeter (Tax Map 72, Lot 6); and

WHEREAS, the Licensor has exclusive jurisdiction over the property Tax Map 72, Lot 6, which is a public parking area; and

WHEREAS, the Licensee desires to lease a 40’X40’ section of the public parking lot denoted in the attached map; and

WHEREAS, the impetus of this agreement is to provide relief to the public by minimizing construction disruption on Water Street foot and vehicular traffic; and

WHEREAS, the impetus of this agreement is to provide relief to the other private commercial enterprises by minimizing impact to these operations; and

WHEREAS, subject to the terms and conditions hereinafter set forth, the Licensor wishes to establish the terms of the License and the Licensee agrees to abide by such terms.

NOW, THEREFORE, in consideration of the foregoing premises and mutual promises, terms, provisions, and conditions set forth in this Agreement, the parties hereby agree as follows:

1. The License. Licensor hereby grants to Licensee the right to use a portion of the above described property for a temporary fence, storage container, dumpster and mobile construction trailer in accordance with the plan attached hereto and made a part hereof. Licensee may use only the areas as indicated on said plan.

2. Term. The term of this license shall be from November 1, 2018 through October 31, 2018 each year, for the duration of this License. The License is subject to renewal annually at the sole discretion of the Licensor. Licensee acknowledges that Licensor may terminate this License for any reason, or for no reason, upon 30 days notice to Licensee. Provided, however, that if the Licensee engages in any activity which, in the judgment of the Licensor, is harmful to the public health and safety, Licensor may terminate this License immediately.

3. Conditions and Restricted Activities
 - a. This License is expressly and exclusively granted to the Licensee. The rights being granted hereunder may not be assigned to any other person, entity, or party.

- b. The equipment in the lease boundaries conform to all requirements in the Town of Exeter Zoning Ordinance and Town of Exeter General Ordinances.
 - c. This License shall automatically terminate upon any sale of the Licensor's property or upon Licensee vacating the property, regardless of any remaining term of the license.
4. Limitation of Liability
- a. Licensor shall not be liable for any injury, damage, or loss of any kind whatsoever, to the Licensee or to any third persons, resulting from or arising out of the use of the Licensor's property or the conduct of Pairpoint Group or their contractors. Licensee agrees to indemnify, defend and hold harmless the Licensor from liability, loss, or damage resulting therefrom, including any liability, loss or damage resulting from the negligence of the Licensor, its employees or agents.

 - b. Licensee agrees to maintain liability insurance in an amount not less than one-million dollars (\$1,000,000) during the term of this License Agreement and any renewal thereof, with the Town of Exeter to be named as an additional insured. Licensee shall provide to Licensor, upon request, a certificate of insurance verifying such insurance.
5. Amendment. This Agreement may be amended or modified only by a written instrument signed by the Licensor and Licensee.
6. Entire Agreement. This License Agreement supersedes all prior oral and written agreements between the parties with respect to the subject matter hereof. Any modification or addition to the License Agreement shall be in writing and duly executed by the parties hereto.
7. Severability. If any portion or provision of this Agreement shall to any extent be declared illegal or unenforceable by a court of competent jurisdiction, then the remainder of the Agreement, or the application of such portion or provision in circumstances other than those as to which it is so declared illegal or unenforceable, shall not be affected thereby, and such portion and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.
8. Headings. The headings and captions in the Agreement are for convenience only and in no way define or describe the scope or content of any provision of this Agreement.

DRAFT

- 9. **Governing Law.** This is a New Hampshire contract and shall be construed and enforced under and be governed in all respects by the laws of the State of New Hampshire, without regard to the conflict of laws principles thereof.

IN WITNESS WHEREOF, the parties have hereunder set their hands as of the day and year above written

LICENSOR
TOWN OF EXETER

Date

Russell Dean, Town Manager
Duly Authorized

LICENSEE
Pairpoint Group. LLC

Date

Elliott Berkowitz

Proposed staging area for 23 Water St.

Staging area



Construction trailer, dumpster





FRONT ELEVATION SCALE: 1" = 10'-0"



June 26, 2018

Town of Exeter
10 Front St
Exeter, NH 03833

ATTN: Board of Selectman

RE: Pairpoint Group LLC

Pairpoint Group LLC has a package policy with liability limits of \$1,000,000 and a \$3,000,000 umbrella policy that can be extended to cover staging of materials if granted by the town of Exeter. We can issue a certificate of insurance once this is granted.

Any questions please feel free to contact me.

Sincerely

A handwritten signature in black ink, appearing to read 'Michael J Foy', is written over a horizontal line. The signature is stylized and includes a large, sweeping flourish that extends to the right.

Michael J Foy

Town of Exeter
 Fire Truck Lease Quotes - Pre-buy Option with Payments in Advance
 As of June 26, 2018

DRAFT

<u>Lessor</u>	<u>Years</u>	<u>Amount Financed</u>	<u>Interest Rate</u>	<u>Annual Lease Payment</u>	<u>Total Interest Expense</u>
Tax Exempt Leasing	7	489,916	3.75%	77,949	55,728
First Republic National Bank	7	489,916	3.79%	78,028	56,281
REV Equipment Leasing	7	489,916	3.97%	78,420	59,031

2017 Warrant Article

	<u>Warrant Article Total</u>	<u>Annual Lease Pmt per Warrant Article</u>	<u>Cost with Trade In</u>	<u>Cost with 21 day advance purchase</u>
Article # 14 - Fire Truck	\$ 525,299	\$ 88,175		
Original Price	\$ 515,214			
Trade In Allowance	\$ (15,000)			
Early pre-buy discount (within 21 days)	(10,298)			
Total Financed Cost	<u>\$ 489,916</u>			

Savings to the Town

Notes:

All of the above lessors agree to offer lease with a non-appropriation clause.

** Tax Exempt Leasing has provided the lowest interest rate and most savings for the fire truck.

Schedule No. 09
EXHIBIT A

July 9, 2018

DESCRIPTION OF EQUIPMENT

RE: Master Lease Purchase Agreement dated as of October 1, 2011, between Tax-Exempt Leasing Corp. (Lessor) and Town of Exeter (Lessee) and Schedule No. 09 thereto dated July 9, 2018.

Below is a detailed description of all the items of Equipment including quantity, model number and serial number where applicable:

Quantity	Serial Number/VIN	Type, Make, Model
1		201_ E-One Custom Pumper Fire Apparatus

EQUIPMENT LOCATION Complete only if equipment will not be located at Lessee's address

Address 20 Court Street City Exeter State New Hampshire
County Rockingham

Lessee authorizes Lessor or its assigns to insert or modify, if needed, the Vehicle Identification Number ("VIN") or Serial Number in the above description of the Equipment to correspond to the final delivered and accepted Equipment as shown on the respective invoice or other supporting documents.

Lessee: Town of Exeter

Signature

Russell Dean, Town Manager

Printed Name and Title

July 9, 2018

Date

Schedule No. 09
EXHIBIT B

July 9, 2018

SCHEDULE OF PAYMENTS

Rate: 3.75%

Payment Number	Payment Date	Payment	Interest	Principal	Purchase Option Price*
1	7/9/2018	\$ 77,949.15	\$ -	\$ 77,949.15	NA
2	7/9/2019	\$ 77,949.15	\$ 15,448.75	\$ 62,500.40	\$ 358,203.11
3	7/9/2020	\$ 77,949.15	\$ 13,104.99	\$ 64,844.16	\$ 291,737.85
4	7/9/2021	\$ 77,949.15	\$ 10,673.33	\$ 67,275.82	\$ 222,780.13
5	7/9/2022	\$ 77,949.15	\$ 8,150.49	\$ 69,798.66	\$ 150,498.77
6	7/9/2023	\$ 77,949.15	\$ 5,533.04	\$ 72,416.11	\$ 76,634.33
7	7/9/2024	\$ 77,949.15	\$ 2,817.45	\$ 75,131.70	\$ -
	Totals	\$ 545,644.05	\$ 55,728.05	\$ 489,916.00	

* Assumes that all rental payments and additional rentals due on and prior to that date have been paid.

Lessee: Town of Exeter

Signature

Russell Dean, Town Manager

Printed Name and Title

July 9, 2018

Date

Schedule No. 09
EXHIBIT C

July 9, 2018

PAYMENT REQUEST AND PARTIAL ACCEPTANCE CERTIFICATE

RE: Master Lease Purchase Agreement dated as of October 1, 2011, between Tax-Exempt Leasing Corp. (Lessor) and Town of Exeter (Lessee) and Schedule No. 09 thereto dated July 9, 2018.

I, the undersigned, hereby certify that I am a duly qualified representative of Lessee and that I have been given the authority by the Governing Body of Lessee to sign this Certificate of Acceptance with respect to the above referenced Master Lease Purchase Agreement and Schedule No. 09 (the "Lease"). I hereby certify that:

1. Notwithstanding anything to the contrary in the Lease Schedule, Lessee hereby notifies Lessor that the Equipment has not yet been delivered to Lessee and the Equipment has not yet been accepted by the Lessee for purposes of the Lease Schedule. Lessee agrees to execute and deliver to Lessor a Final Acceptance Certificate in the form attached hereto as Exhibit C-2 upon the circumstances set forth in the said Certificate.
2. Lessee hereby requests and authorizes Lessor to disburse, or direct the escrow agent to disburse, to the vendor described below net proceeds of the Lease in the amount specified by wire transfer or by check. Such amount has not formed the basis for a previous request for payment.
3. Lessee agrees that the Lease Term and Lessee's obligation to pay Rental Payments shall commence on the date set forth in the Lease Schedule notwithstanding the delivery of the Equipment at a later date.
4. Rental Payments are due and owing as set forth in Exhibit B to the Lease.
5. Lessee has obtained insurance coverage as required under the Lease.
6. Lessee is exempt from all personal property taxes and is also exempt from sales and/or use taxes with respect to the Equipment and the Rental Payments.
7. No event or condition that constitutes or would constitute an Event of Default exists as of the date hereof.

Equipment	Amount
201_ E-One Custom Pumper Fire Apparatus	\$489,916.00

Serial #/VIN: (if applicable) _____

Vendor Name and Address: Greenwood Emergency Vehicles, LLC
530 John Dietsch Blvd., North Attleboro, MA 02763

Lessee: Town of Exeter

Signature

Russell Dean, Town Manager
Printed Name and Title

July 9, 2018
Date

Schedule No. 09
EXHIBIT D

OPINION OF COUNSEL

(Must be Re-typed onto attorney's letterhead)

July 9, 2018

Tax-Exempt Leasing Corp.
203 E. Park Avenue
Libertyville, Illinois 60048

RE: Master Lease Purchase Agreement dated as of October 1, 2011, between Tax-Exempt Leasing Corp. (Lessor) and Town of Exeter (Lessee) and Schedule No. 09 thereto dated as of July 9, 2018.

WAIVED

Schedule No. 09
EXHIBIT E

July 9, 2018

LESSEE RESOLUTION

RE: Master Lease Purchase Agreement dated as of October 1, 2011, between Tax-Exempt Leasing Corp. (Lessor) and Town of Exeter (Lessee) and Schedule No. 09 thereto dated as of July 9, 2018.

At a duly called meeting of the Governing Body of the Lessee (as defined in the Agreement) held on July 9, 2018 the following resolution was introduced and adopted:

BE IT RESOLVED by the Governing Body of Lessee as follows:

- 1. Determination of Need.** The Governing Body of Lessee has determined that a true and very real need exists for the acquisition of the Equipment described on Exhibit A of Schedule No. 09 dated as of July 9, 2018 to the Master Lease Purchase Agreement dated as of October 1, 2011, between **Town of Exeter (Lessee) and Tax-Exempt Leasing Corp. (Lessor)**.
- 2. Approval and Authorization.** The Governing Body of Lessee has determined that the Agreement and Schedule, substantially in the form presented to this meeting, are in the best interests of the Lessee for the acquisition of such Equipment, and the Governing Body hereby approves the entering into of the Agreement and Schedule by the Lessee and hereby designates and authorizes the following person(s) to execute and deliver the Agreement and Schedule on Lessee's behalf with such changes thereto as such person(s) deem(s) appropriate, and any related documents, including any Escrow Agreement, necessary to the consummation of the transaction contemplated by the Agreement and Schedule.

Authorized Individual(s): Russell Dean, Town Manager
(Printed or Typed Name and Title of individual(s) authorized to execute the Agreement)

In addition to the Authorized Individual(s) above, the Governing Body of Lessee further authorizes the following individual to sign any Payment Request and Partial Acceptance Certificate form and/or Final Acceptance Certificate:

Authorized Individual(s): Russell Dean, Town Manager
(Printed or Typed Name and Title of individual(s) authorized to execute any Payment Request and Partial Acceptance Certificate and/or Final Acceptance Certificate)

- 3. Adoption of Resolution.** The signatures below from the designated individuals from the Governing Body of the Lessee evidence the adoption by the Governing Body of this Resolution.

By: _____
(Signature of Secretary, Board Chairman or other member of the Governing Body, who is not listed as "Authorized Individual" above)

Typed Name: _____ Title: _____
(Typed name of individual who signed directly above) (Title of individual who signed directly above)

Attested By: _____
(Signature of one additional person who can witness the passage of this Resolution)

Typed Name: _____ Title: _____
(Typed name of individual who signed directly above) (Title of individual who signed directly above)

Schedule No. 09
EXHIBIT F

July 9, 2018

BANK QUALIFIED CERTIFICATE

RE: Master Lease Purchase Agreement dated as of October 1, 2011, between Tax-Exempt Leasing Corp. (Lessor) and Town of Exeter (Lessee) and Schedule No. 09 thereto dated as of July 9, 2018.

Whereas, Lessee hereby represents that it is a "Bank Qualified" Issuer for the calendar year in which this Agreement and Schedule are executed by making the following designations with respect to Section 265 of the Internal Revenue Code. (A "Bank Qualified Issuer" is an issuer that issues less than ten million (\$10,000,000) dollars of tax-exempt obligations during the calendar year).

Now, therefore, Lessee hereby designates this Agreement and Schedule as follows:

1. **Designation as Qualified Tax-Exempt Obligation.** Pursuant to Section 265(b)(3)(B)(ii) of the Internal Revenue Code of 1986 as amended (the "Code"), the Lessee hereby specifically designates the Agreement and this Schedule as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code. In compliance with Section 265(b)(3)(D) of the Code, the Lessee hereby represents that the Lessee will not designate more than \$10,000,000 of obligations issued by the Lessee in the calendar year during which the Agreement is executed and delivered as such "qualified tax-exempt obligations".
2. **Issuance Limitation.** In compliance with the requirements of Section 265(b)(3)(C) of the Code, the Lessee hereby represents that the Lessee (including all subordinate entities of the Lessee within the meaning of Section 265(b)(3)(E) of the Code) reasonable anticipates not to issue in the calendar year during which the Agreement and Supplement are executed and delivered, obligations bearing interest exempt from federal income taxation under Section 103 of the Code (other than "private activity bonds" as defined in Section 141 of the Code) in an amount greater than \$10,000,000.

By: _____
(Signature of individual authorized to execute this Exhibit)

Name: Russell Dean Title: Town Manager
(Printed name of individual who signed directly above) (Title of individual who signed directly above)

Schedule No. 09
EXHIBIT G

July 9, 2018

AGREEMENT TO PROVIDE INSURANCE

Lessee:

Name: Town of Exeter
Address: 10 Front Street
Exeter, New Hampshire 03833
Phone: 603-773-6109

Lessor/Certificate Holder:

Name: Tax-Exempt Leasing Corp., AOIA
Address: 203 E. Park Avenue
Libertyville, Illinois 60048
Phone: 847-247-0771

Description of Equipment: 201_ E-One Custom Pumper Fire Apparatus

I understand that to provide protection from serious financial loss, should an accident or loss occur, my lease contract requires the equipment to be continuously covered with insurance against the risks of fire and theft, and that failure to provide such insurance gives the Lessor the right to declare the entire unpaid balance immediately due and payable. Accordingly, I authorize Tax-Exempt Leasing Corp. or its assigns to contact the insurance company shown below, in order to obtain the required proof of coverage. I further authorize the Agent/Company below to issue a Certificate noting Lessor's interest in the equipment and showing **Tax-Exempt Leasing Corp. and/or its assigns as additional insured and loss payee.**

Please e-mail to marlas@taxexemptleasing.com or fax to 847-247-0772

Insurance Company: Primex

Name of Agent: Carl Weber

Address: 46 Donovan Street, Concord, NH 03301

Phone: (800) 698-2364

Email: cweber@nhprimex.org

Policy #: 170

Lessee: Town of Exeter

Signature

Russell Dean, Town Manager

Printed Name and Title

Schedule No. 09
EXHIBIT H

July 9, 2018

LESSEE CERTIFICATE

RE: Master Lease Purchase Agreement dated as of October 1, 2011, between Tax-Exempt Leasing Corp. (Lessor) and Town of Exeter (Lessee) and Schedule No. 09 thereto dated as of July 9, 2018.

I, the undersigned, hereby certify that I am a duly qualified representative of Lessee and that I have been given the authority by the Governing Body of Lessee to sign this Certificate of Acceptance with respect to the above referenced Master Lease Purchase Agreement and Schedule No. 09 thereto (the "Lease"). I hereby certify that:

1. Lessee has appropriated and/or taken other lawful actions necessary to provide moneys sufficient to pay all Rental Payments required to be paid under the Lease during the current Budget Year of Lessee, and such moneys will be applied in payment of all Rental Payments due and payable during such current Budget Year.

2. The governing body of Lessee has approved the authorization, execution and delivery of the Lease on its behalf by the authorized representative of Lessee who signed the Lease.

3. During the term of the Lease, the Equipment will be used for essential governmental functions. Such functions are:

The vehicle will be used by the Exeter Fire Department for firefighting and related duties.

4. The source of funds (fund Item in budget) for the Rental Payments that come due under Exhibit B of this Lease is as follows:

General Government Vehicle Leases in the General Fund.

5. Lessee reasonably expects and anticipates that adequate funds will be available for all future Rental Payments that will come due under Exhibit B because:

The lease payments were approved by the Town of Exeter voters on March 13, 2018

Lessee: Town of Exeter

Signature

Russell Dean, Town Manager

Printed Name and Title

**Schedule No. 09
Exhibit I**

**NOTICE OF ASSIGNMENT
AND
LETTER OF DIRECTION**

Tax-Exempt Leasing Corp. ("Lessor") hereby gives notice to Town of Exeter ("Lessee") that it has assigned all of its rights to receive payments under the Master Lease Purchase Agreement dated July 9, 2018, Schedule No. 09, as set out in Section 7.01 of said Master Lease Purchase Agreement, and in any of the Equipment now or hereafter leased thereunder, including without limitation all amounts of rent, insurance, and condemnation proceeds, indemnity or other payment proceeds due to become due as a result of the sale, lease or other disposition of the Equipment, all rights to receive notices and give consents and to exercise the rights of the Lessor under the Lease, and all rights, claims and causes of action which Lessor may have against the manufacturer or seller of the Equipment in respect of any defects therein.

This Master Lease Purchase Agreement, Schedule No. 09, requires seven (7) annual payments in the amount of \$77,949.15 each. As of the date of assignment, seven (7) payments remain on the contract. These payments have been assigned to:

*Santander Bank, N.A.
3 Huntington Quadrangle, #101N
Melville, NY 11747*

FEIN: 23-1237295

(The above should be listed as lien holder on all vehicle titles)

All future payments, however, should be made payable to and forwarded to the following:

*Tax-Exempt Leasing Corp.
P.O. Box 14565
Reading, PA 19612*

Any assigned payments received by Lessor are received in trust for assignee and will be immediately delivered to Assignee.

Lessee: Town of Exeter

Lessor: Tax-Exempt Leasing Corp.

Signature

Signature

Russell Dean, Town Manager
Printed Name and Title

Mark M. Zaslavsky, President
Printed Name and Title

Date

Date

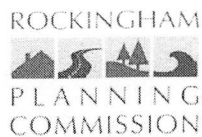
Town of Exeter, NH

Natural Hazard Mitigation Plan Update 2018



Approved by the
Exeter Select Board

Prepared with the Assistance of the



This project was partially funded by
NH Homeland Security and Emergency Management

Certificate of Adoption

WHEREAS, the Town of Exeter received funding from the NH Office of Homeland Security and Emergency Management under a Pre-Disaster Mitigation Grant and assistance from Rockingham Planning Commission in the preparation of the Plaistow Hazard Mitigation Plan Update 2018; and

WHEREAS, several public planning meetings were held between December 2017 and May 2018 regarding the development and review of the Exeter Hazard Mitigation Plan Update 2018; and

WHEREAS, the Exeter Hazard Mitigation Plan Update 2018 contains several potential future projects to mitigate hazard damage in the Town of Exeter; and

WHEREAS, a duly-noticed public hearing was held by the Exeter Select Board on _____ to formally approve and adopt the Exeter Hazard Mitigation Plan Update 2018.

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

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

NOW, THEREFORE BE IT RESOLVED that the Exeter Select Board adopts the Exeter Hazard Mitigation Plan Update 2018.

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

_____ Select Board

_____ Select Board

_____ Select Board

_____ Select Board

_____ Select Board

ATTEST

Public Notary

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**Town of Exeter, NH
Natural Hazard Mitigation Plan Update
2018**

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EXECUTIVE SUMMARY

The *Exeter Hazard Mitigation Plan* (herein also referred to as the *Plan*) was compiled to assist the Town of Exeter in reducing and mitigating future losses from natural hazard events. The *Plan* was developed by the Rockingham Planning Commission and participants from the Town of Exeter *Natural Hazard Mitigation Committee* and contains the tools necessary to identify specific hazards, and aspects of existing and future mitigation efforts.

The following *natural* hazards are addressed:

- Flooding
- Hurricane-High Wind Event
- Severe Winter Weather
- Wildfire
- Earthquake
- Drought
- Extreme Temperatures
- Sea Level Rise and Coastal Storm Surge

The list of *critical facilities* includes:

- Municipal facilities
- Communication facilities
- Fire stations and law enforcement facilities
- Exeter Hospital
- Schools
- Shelters
- Evacuation routes
- Vulnerable Populations

The *Exeter Hazard Mitigation Plan Update 2018* is considered a work in progress and should be revisited annually to assess whether the existing and suggested mitigation strategies are successful. Copies have been distributed to the Town Hall and the Emergency Operations Center. A copy of the *Plan* is also on file at The Rockingham Planning Commission, New Hampshire Homeland Security and Emergency Management (NHHSEM) and the Federal Emergency Management Agency (FEMA). This Document was approved by both agencies prior to adoption at the local level.

CHAPTER I – INTRODUCTION

Background

The New Hampshire Homeland Security and Emergency Management (NHHSEM) has a goal for all communities within the State of New Hampshire to establish local hazard mitigation plans as a means to reduce and mitigate future losses from natural hazard events. The NHHSEM outlined a process whereby communities throughout the State may be eligible for grants and other assistance upon completion of a local hazard mitigation plan. A handbook entitled *Hazard Mitigation Planning for New Hampshire Communities* was created by NHHSEM to assist communities in developing local plans. The State’s Regional Planning Commissions are charged with providing assistance to selected communities to develop local plans.

The *Exeter Hazard Mitigation Plan Update 2018* was prepared by participants from the Town of Exeter Hazard Mitigation Team with the assistance and professional services of the Rockingham Planning Commission (RPC) under contract with the New Hampshire Homeland Security and Emergency Management operating under the guidance of Section 44 CFR 201.6. The *Plan* serves as a strategic planning tool for use by the Town of Exeter in its efforts to identify and mitigate the future impacts of natural and/or man-made hazard events.

Methodology

The Rockingham Planning Commission (RPC) organized the first meeting with emergency management officials from the Town of Exeter on November 28, 2017 to begin the initial planning stages of the *Plan Update (primarily step 1)*. This meeting precipitated the development of the *Natural Hazards Mitigation Committee* (herein after, the *Committee*). RPC and participants from the Town developed the content of the *Plan* using the ten-step process set forth in the *Hazard Mitigation Planning for New Hampshire Communities*. The following is a summary of the ten-step process conducted to compile the Plan. Publicly noticed work session meetings were also held on December 19, 2017, February 20, 2018, March 20, 2018, April 17, 2018(add other meeting dates here.) The Town of Exeter’s Emergency Management Director and staff from the Rockingham Planning Commission solicited input on the Plan from local officials, abutting communities, and residents throughout the Plan development process.

The Town’s 2013 Plan served as the starting point for discussion on hazards impacting the Town, as well as discussions on mitigation strategies. The 2013 Plan served as a reference for local land use regulations and policies, development of the Town’s Capital Improvement Plan and department budgets, and has been referenced in several reports, including the 2016 NH Coastal Risks and Hazards Commission Final Report, the RPC’s 2015 Regional Master Plan, the Town’s 2017 Sea Level Rise and Coastal Storm Surge Vulnerability Assessment and other adaptation planning initiatives.

Step 1- Form the Committee

The Emergency Management Director invited Department Heads from all the Town’s departments to participate in the Plan Update process, as well as staff from Exeter Hospital and SAU 16. As a result, the Plan Update Committee included the Emergency Management Director/Fire Chief, Assistant Fire Chief, Public Works Director, Public

Health Administrator, Water and Sewer Department Engineer, Town Planner, Town Natural Resource Planner, Building Inspector/Code Enforcement Officer, Exeter Hospital's Emergency Management Director, and SAU 16's Facilities Manager. Public notices about the Plan Update process were posted on the Town website and the Rockingham Planning Commission's website and monthly newsletter. All meetings were open to the public, and RPC staff kept municipalities in the region informed of the Plan Update. In addition, RPC staff working in the abutting towns of Hampton, Hampton Falls, Kensington, Stratham, Newfields, Brentwood, Kingston, East Kingston and Epping kept local officials in these communities informed of the update to Exeter's Plan Update and the opportunity to comment on regional mitigation strategies.

Step 2 – Map the Hazards

Participants in the *Committee* identified areas where damage from historic natural disasters have occurred and areas where critical man-made facilities and other features may be at risk in the future for loss of life, property damage, environmental pollution and other risk factors. RPC generated a set of base maps with GIS (Geographic Information Systems) that were used in the process of identifying past and future hazards.

Step 3 – Identify Critical Facilities and Areas of Concern

Participants in the Committee identified facilities and areas that were important to the Town for emergency management purposes, for provision of utilities and community services, evacuation routes, and for recreational, historical, cultural and social value. These facilities and areas are identified on the Critical Facilities Map.

Step 4 – Identify Existing Mitigation Strategies

After collecting detailed information on each critical facility in Exeter, the Committee and RPC staff identified existing Town mitigation strategies relative to flooding, hurricane and wind events, severe winter weather, wildfire, earthquake, drought, extreme temperatures, and sea level rise and coastal storm surge. This process involved reviewing the Town's 2013 Hazard Mitigation Plan, the Town's Master Plan and Capital Improvements Program, Zoning Ordinance, Subdivision Regulations, Site Plan Review Regulations, 2017 Vulnerability Assessment, Emergency Operations Plan, and the Town's participation in the National Flood Insurance Program (NFIP).

Step 5 – Identify the Gaps in Existing Mitigation Strategies

The existing strategies were then reviewed by the RPC and the Committee for coverage and effectiveness, as well as the need for improvement.

Step 6 – Identify Potential Mitigation Strategies

A list was developed of additional hazard mitigation actions and strategies for the Town of Exeter. The existing Hazard Mitigation Plans of Portsmouth, North Hampton and Plaistow were just a few towns that were utilized to identify new mitigation strategies as well as the town Master Plan, Emergency Operations Plan, and Vulnerability Assessment.

Step 7 – Prioritize and Develop the Action Plan

The proposed hazard mitigation actions and strategies were reviewed, and each strategy was rated (good, average, or poor) for its effectiveness according to several factors (e.g., technical and administrative applicability, political and social acceptability, legal authority, environmental impact, financial feasibility). Each factor was then scored, and all scores were totaled for each strategy. Strategies were ranked by overall score for preliminary prioritization then reviewed again under Step 8.

Step 8 - Determine Priorities

The preliminary prioritization list was reviewed to make changes and determine a final prioritization for new hazard mitigation actions and existing protection strategy improvements identified in previous steps. RPC also presented recommendations to be reviewed and prioritized by the Plan Update Committee.

Step 9 - Develop Implementation Strategy

Using the chart provided under Step 9 in the handbook, an implementation strategy was created which included person(s) responsible for implementation (who), a timeline for completion (when), and a funding source and/or technical assistance source (how) for each identified hazard mitigation actions. Also, when the Master Plan or the Exeter Capital Improvement Plan (CIP) is updated the *Exeter Hazard Mitigation Plan* shall be consulted to determine if strategies or actions suggested in the *Plan* can be incorporated into the Town's future land use recommendations and or capital expenditures.

Step 10 - Adopt and Monitor the Plan

RPC staff compiled the results of Steps 1 to 9 in a draft document. This draft *Plan* was reviewed by members of the Committee and by staff members at the RPC. The draft *Plan* was also placed on the Town of Exeter website for review by the public, neighboring communities, agencies, businesses, and other interested parties to review and make comments via email. A duly noticed public meeting was held by the Exeter Select Board on May 21, 2018. The meeting allowed the community and neighboring towns to provide comments and suggestions for the *Plan* in person, prior to the document being finalized. A 30-day public comment period was established after the meeting to allow more time for public review and comment. The draft was revised to

incorporate comments received from the Select Board, the public and Town staff and then submitted to the NH HSEM and FEMA Region I for their review and comments. Any changes required by NH HSEM and FEMA were made and a revised draft document was then submitted to the Exeter Select Board for their final review. A public hearing was then held by the Exeter Select Board on (to be added). At this public hearing the *Plan* was approved and adopted by the Exeter Select Board.

DRAFT

Hazard Mitigation Goals and Objectives of the Town of Exeter, New Hampshire

The Town of Exeter sets forth the following hazard mitigation goals and objectives:

- Reduce or avoid long-term vulnerabilities posed by natural hazards impacting Exeter, including the impacts from flooding, hurricanes and high wind events, severe winter weather, wildfire and conflagration, earthquakes, drought, extreme temperatures, and climate change, including sea-level rise and coastal storm surge.
- Improve upon the protection of the Town of Exeter's general population, the citizens of the State and guests, from all natural and man-made hazards.
- Reduce the potential impact of natural and man-made disasters on Exeter and the State's Critical Support Services.
- Reduce the potential impact of natural and man-made disasters on Exeter's Critical Facilities in the State.
- Reduce the potential impact of natural and man-made disaster on Exeter's and the State's infrastructure.
- Improve Exeter's Emergency Preparedness.
- Improve Exeter's Disaster Response and Recovery Capability.
- Reduce the potential impact of natural and man-made disasters on private property in Exeter.
- Reduce the potential impact of natural and man-made disasters on Exeter's and the State's economy.
- Reduce the potential impact of natural and man-made disasters on Exeter's and the State's natural environment.
- Reduce Exeter's and the State's liability with respect to natural and man-made hazards generally.
- Reduce the potential impact of natural and man-made disasters on Exeter's and the State's specific historic treasures and interests as well as other tangible and intangible characteristics that add to the quality of life to the citizens and guests of the State and the Town.
- Identify, introduce and implement cost effective Hazard Mitigation measures to accomplish Exeter's and the States' goals and objectives to raise the awareness and acceptance of hazard mitigation planning.

Through the adoption of this Plan the Town of Exeter concurs and adopts these goals and objectives.

Acknowledgements

The Exeter Select Board extends special thanks to those that assisted in the development of this Plan Update by serving as member of Natural Hazards Mitigation Committee:

Matt Berube, Water and Sewer Managing Engineer, Town of Exeter
Brian Comeau, Emergency Management Director/Fire Chief, Town of Exeter
Russell Dean, Town Manager, Town of Exeter
Doug Eastman, Building Inspector, Town of Exeter
Rich Kane, Coordinator of School Safety and Security, SAU 16
Ray Leblanc, Exeter Hospital Emergency Management
Kristen Murphy, Natural Resource Planner, Town of Exeter
Jennifer Perry, Public Works Director, Town of Exeter
Dave Sharples, Town Planner, Town of Exeter
Eric Wilking, Assistant Fire Chief/Deputy EMD, Town of Exeter

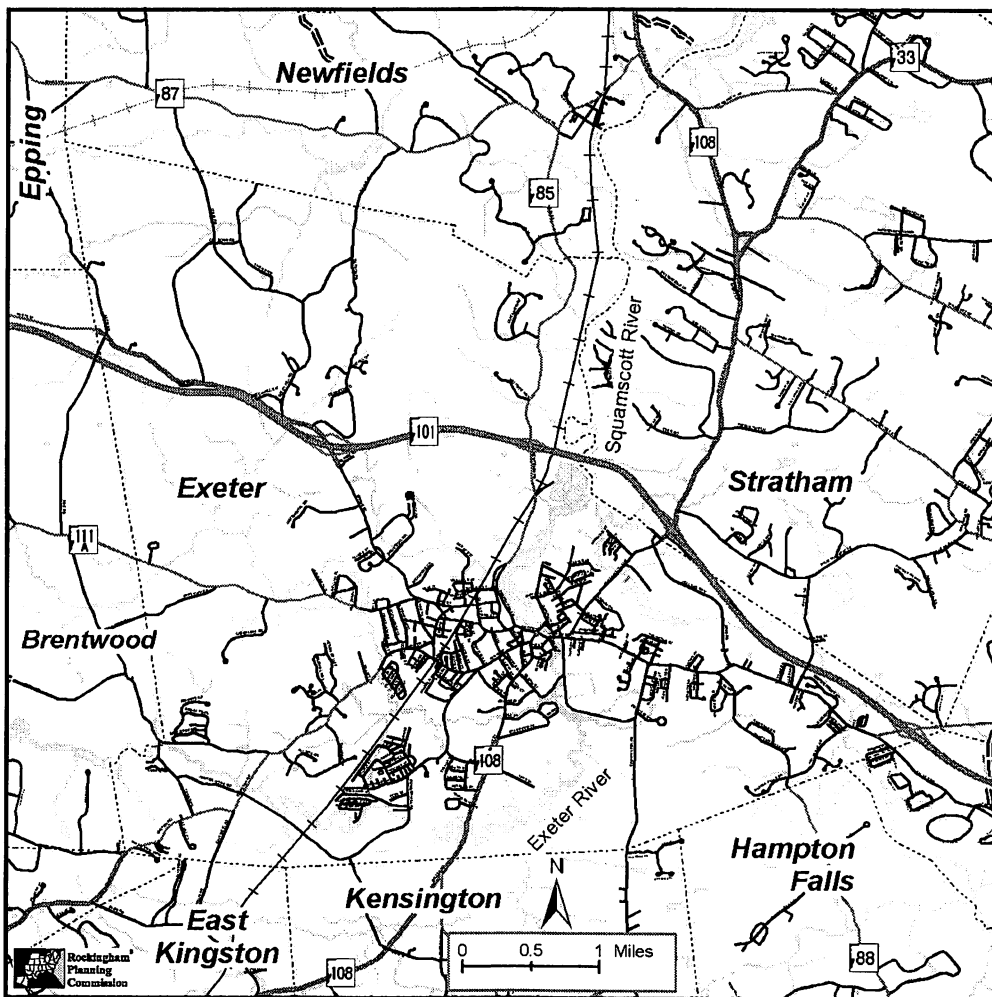
The Exeter Select Board offers thanks to the **NHHSEM** which provided funding and assistance with the development of this Plan Update.

In addition, thanks are extended to the staff of the **Rockingham Planning Commission** for professional services, process facilitation and preparation of this document.

CHAPTER II – COMMUNITY PROFILE

The Town of Exeter is located in Rockingham County, New Hampshire. Exeter is bordered by the towns of Kingston, East Kingston, Hampton Falls, Hampton, and Kensington to the south, Stratham to the east, Newfields to the north, and Brentwood and Epping to the west, as seen below in Figure 1. The Town’s population was 14,306 at the 2010 U.S. Census. The Town is served by several major roads, including State Routes 101, 108, 150, 111 and 27, with easy access to Interstate 95. The Town is also served by the Amtrak Downeaster train. Land development in Exeter is primarily single family residential surrounded by undeveloped forest land and open space. Exeter has a vibrant downtown located along the Exeter-Squamscott River, and a commercial corridor which serves as a regional economic and retail hub.

Figure 1: Location Map of Exeter, New Hampshire



List for Select Board meeting July 2, 2018

BTLA Appeal/ Discussion

Map/Lot	Location
62/112	64 Epping Road

LUCT

Map/Lot	Location
46/3	20 Continental Dr 37,500

Intent to Cut

Map/Lot	Location
94/19	Lary Lane
71/119	Drinkwater Rd
101/32	Kingston Road

List for Select Board's meeting July 9, 2018

Water / Sewer Department Abatement's		
Name	Location	Amount
Susanne Foley	3 Warren Ave	\$666.88
Edward Anderson	4 Hayes Park	\$162.92

Abatement Request – Water/Sewer Department

Meeting Date: 7/9/18

Applicant: Edward Anderson, 4 Hayes Park.

Property Description: 4 Hayes Park is a single-family mobile home. The property is owned by Edward Anderson. Purchased the property in Spring 2016.

Discussion:

The Water & Sewer Department received an abatement request in June 2018. The Water & Sewer Department did not go to the home to do any investigation or leak checks, but did do data downloading from the meter. The leak was identified by the homeowner. Homeowner found a toilet running. The abatement request indicated the toilet was fixed once it was identified as the source of the usage.

Conclusion:

Based on the documented abatement request, the Water & Sewer Department believes a leak occurred on the property. Select board policy states that in the event the source or cause of the abnormally high consumption is related to a leak due to customer negligence such as failure to maintain internal (private) plumbing fixtures in good repair, the customer shall be held responsible for the entire bill. If the Select Board wishes to grant the abatement for the water & sewer usage portion above the usage average, the calculated abatement amount is \$162.92 for a new bill total of \$404.32.

Special Notes:

Select Board Review: _____

Accept Request: _____

Deny Request: _____

Chairperson Initials: _____

Water & Sewer Abatement Receipt

Reason for Abatement: The Board of Selectmen made a decision to grant abatement according to Selectman Policy 08-30

Abatement Amounts: \$162.92 (W/S)

New bills total: \$404.32 (W/S)

BOS Signature: _____

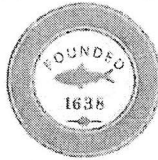
BOS Signature: _____

BOS Signature: _____

BOS Signature: _____

BOS Signature: _____

Town of Exeter



Water/Sewer Abatement Request Form

Please Print:

Full Name: Edward G. Anderson
Mailing Address: 4 Hayes Park
Service/Property Address: Exeter, N.H. 05833
4 Hayes Park
Exeter, N.H. 05833

Today's Date: 6/19/18
Account Number: 121210605
Route Number: _____
Phone Number: 603-273-2023

Utility Abatement Requested for: Water _____ Sewer _____ Water & Sewer _____
Date of Bill: _____ Billing Period from _____ to _____ Amount of Bill: \$ 867.24

Owner's reason for the abatement request (Please be as specific as possible): I am 87 years old
did not hear water running. I probably don't hear
discovered water running + fixed toilet. It now
works great

Edward Anderson
Signature of Applicant

6/19/18
Date

Signature of Billing Office

Date

Do not write below this line

Reviewed by: _____ Date of Review: _____
Comments: _____

Total Usage= _____ gallons
____-Q ____-year Average- (_____ + _____ + _____) / ____ = _____ gallons
Excess above average- _____ gallons
Half of Excess gets abated- _____ gallons

Due
Remaining excess- _____ gal ____-yr average- _____ gal Billable usage- _____ gal
Tier 1-- rates
water _____ gal * \$ ____ /1000 gal = \$
sewer _____ gal * \$ ____ /1000 gal = \$
Tier 2--rates
water _____ gal * \$ ____ /1000 gal = \$
sewer _____ gal * \$ ____ /1000 gal = \$

Total due= _____

Recommendation: _____ Disapprove _____ Approve Amount: \$ _____

Approval/Disapproval Signature: _____ Date: _____

If you disagree with the decision of the Department of Public Works & the Finance Department, you may appeal to the Town of Exeter Board of Selectmen. If you wish to appeal, please sign below and return this form to the Finance Department at 10 Front Street.

Signature of Applicant

Date



**TOWN OF EXETER
WATER AND SEWER COLLECTION**

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

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

8:15 AM - 4:00 PM

Note to Residents:

NEW 2018 WATER & SEWER RATES EFFECTIVE AS OF MARCH 2018

Water

Service Fee: \$40.50 per quarter
Tier 1: \$8.12 per 1,000 gallons of use up to 21,000 gallons
Tier 2: \$10.16 per 1,000 gallons of use 21,001 to 105,000 gallons
Tier 3: \$12.19 per 1,000 gallons of use 105,001 gallons and above

Sewer

Service Fee: \$40.00 per quarter
Tier 1: \$7.30 per 1,000 gallons of use up to 21,000 gallons
Tier 2: \$9.13 per 1,000 gallons of use 21,001 to 105,000 gallons
Tier 3: \$10.95 per 1,000 gallons of use 105,001 gallons and above

27 1 AV 0.375 P:27 / T:1 / S:



ANDERSON EDWARD
ANDERSON NORENE
4 HAYES PARK
EXETER NH 03833-1861



BILL DETAILS 90 Days of Water Usage Previous Read Date: 02/20/2018 - Read Date: 05/21/2018

ACCOUNT NO.	BILLING PERIOD	BILLING CYCLE	METER READINGS		USAGE
			PREVIOUS	PRESENT	
121210655	02/20/2018 - 05/21/2018	Quarterly	51490	80920	29430

Your average daily use was 327 gallons
BILL DATE:
05/31/2018

BILLED TO:
ANDERSON EDWARD

SERVICE ADDRESS:
4 HAYES MOBILE HOME PK

Last Payment: \$223.56 made 04/03/2018

WATER CONSUMPTION	8.120		170.52
WATER CONSUMPTION	10.160		85.65
WATER SERVICE FEE			40.50
SEWER CONSUMPTION	7.300		153.30
SEWER CONSUMPTION	9.130		76.97
SEWER SERVICE FEE			40.00
INTEREST			0.01

TOTAL CURRENT CHARGES	\$	566.94
PAST DUE	\$	0.29

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

TOTAL AMOUNT DUE \$ 567.24

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

PLEASE SEPARATE REMITTANCE STUB AT THIS PERFORATION AND RETURN WITH PAYMENT



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

REMITTANCE STUB

SERVICE LOC: 4 HAYES MOBILE HOME PK
BILL#: 151783
ACCOUNT NO.: 121210655
AMOUNT DUE BY 06/29/2018 : \$567.24

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

CHECK HERE FOR ADDRESS CHANGES AND COMPLETE REVERSE SIDE.

AMOUNT ENCLOSED

\$

ANDERSON EDWARD
ANDERSON NORENE
4 HAYES PARK
EXETER, NH 03833

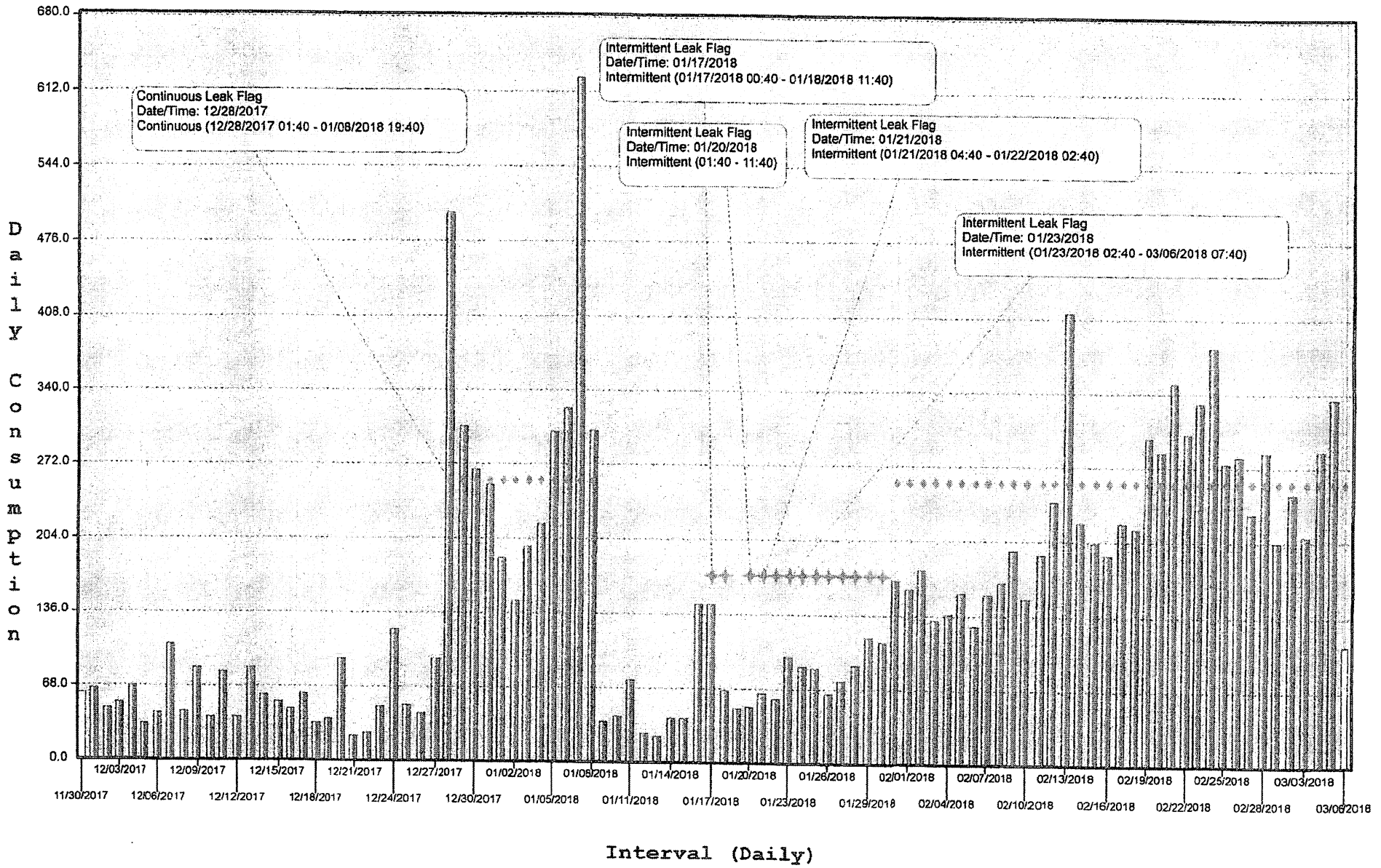
|||||
TOWN OF EXETER
WATER AND SEWER COLLECTION
PO BOX 9520
MANCHESTER NH 03108-9520

24 0000151783 0000056724 6

N_SIGH1 Report
E-Coder R900I Data Logging Report

MIU#: 1834547080 Acct: Unknown Mtr #: 1834547080 Addr: 4 HAYES MOBILE HOME PK for 11/30/2017 through 03/06/2018, WATER, 5/8" - 1" T-10, GALLONS

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



N_SIGHT R900 Rep
Data Logging Report Daily
MIU ID: 1834547080 Meter Combination: WATER, 5/8" - 1" T-10, GALLONS
Interval Date Range: 11/30/2017 - 03/06/2018

Interval Read Date	Interval Reading	Interval Consumption	Minor Backflow	Major Backflow	Intermittent Leak	Continuous Leak
11/30/2017	40716.7	61.2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/01/2017	40723.0	65.4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/02/2017	40828.7	46.6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/03/2017	40834.7	51.9	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/04/2017	40948.5	67.9	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/05/2017	40969.4	32.6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/06/2017	41023.1	43.4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/07/2017	41120.3	105.3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/08/2017	41161.9	44.2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/09/2017	41258.2	84.2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/10/2017	41260.3	39.2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/11/2017	41366.0	79.6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/12/2017	41387.1	40.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/13/2017	41496.1	84.4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/14/2017	41553.7	60.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/15/2017	41612.0	53.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/16/2017	41662.3	47.4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/17/2017	41723.2	60.9	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/18/2017	41758.0	34.8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/19/2017	41760.2	38.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/20/2017	41887.7	93.1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/21/2017	41900.0	22.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/22/2017	41936.9	25.3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/23/2017	41961.6	49.1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/24/2017	42105.7	119.7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/25/2017	42148.3	51.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/26/2017	42200.1	42.9	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/27/2017	42285.0	93.4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/28/2017	42329.1	500.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12/29/2017	43088.3	305.4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12/30/2017	43170.2	266.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12/31/2017	43609.2	251.6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
01/01/2018	43718.6	186.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
01/02/2018	43940.4	146.8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
01/03/2018	44125.1	196.6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
01/04/2018	44354.3	216.3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
01/05/2018	44652.2	300.6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
01/06/2018	44698.6	322.8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
01/07/2018	45554.0	622.1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*All time intervals are represented in standard time.

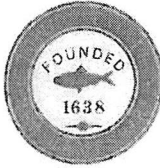
N_SIGHT R900 Rep'd
Data Logging Report Daily
MIU ID: 1834547080 Meter Combination: WATER, 5/8" - 1" T-10, GALLONS
Interval Date Range: 11/30/2017 - 03/06/2018

Interval Read Date	Interval Reading	Interval Consumption	Minor Backflow	Major Backflow	Intermittent Leak	Continuous Leak
01/08/2018	45888.8	301.3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
01/09/2018	45947.3	37.3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/10/2018	45979.7	42.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/11/2018	46063.9	74.6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/12/2018	46090.3	26.4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/13/2018	46115.0	24.7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/14/2018	46155.8	41.3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/15/2018	46156.8	41.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/16/2018	46330.9	144.4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/17/2018	46428.4	143.9	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
01/18/2018	46552.0	66.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/19/2018	46577.5	49.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/20/2018	46652.4	51.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/21/2018	46713.5	63.2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
01/22/2018	46773.8	58.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/23/2018	46864.7	96.3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
01/24/2018	46883.3	87.5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
01/25/2018	47044.1	87.2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
01/26/2018	47105.4	63.9	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
01/27/2018	47118.0	75.6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
01/28/2018	47270.9	89.1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
01/29/2018	47316.4	114.4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
01/30/2018	47495.0	110.6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
01/31/2018	47559.4	166.4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
02/01/2018	47820.1	158.7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/02/2018	47987.4	177.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/03/2018	48124.2	131.3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/04/2018	48261.4	136.1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/05/2018	48293.5	154.8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/06/2018	48543.6	126.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/07/2018	48614.0	154.6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/08/2018	48855.0	165.8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/09/2018	48989.0	195.2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/10/2018	49209.6	150.7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/11/2018	49377.1	191.3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/12/2018	49633.5	239.6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
02/13/2018	50050.0	410.9	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/14/2018	50078.9	220.8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/15/2018	50473.4	203.1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

N_SIGHT R900 Repc
Data Logging Report Daily
MIU ID: 1834547080 Meter Combination: WATER, 5/8" - 1" T-10, GALLONS
Interval Date Range: 11/30/2017 - 03/06/2018

Interval Read Date	Interval Reading	Interval Consumption	Minor Backflow	Major Backflow	Intermittent Leak	Continuous Leak
02/16/2018	50554.6	190.8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/17/2018	50877.5	219.8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/18/2018	51025.6	214.7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/19/2018	51399.5	297.8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/20/2018	51648.8	285.8	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
02/21/2018	52025.6	348.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/22/2018	52328.2	301.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/23/2018	52374.0	329.9	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/24/2018	53039.1	381.3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/25/2018	53158.2	275.4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/26/2018	53588.5	281.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/27/2018	53748.3	228.8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02/28/2018	54113.3	285.8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
03/01/2018	54301.6	204.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
03/02/2018	54568.9	246.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
03/03/2018	54772.7	209.1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
03/04/2018	54809.4	286.3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
03/05/2018	55381.8	333.9	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
03/06/2018	55511.8	109.7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Town of Exeter



Water/Sewer Abatement Request Form

Please Print:

Full Name: Susanne Foley
Mailing Address: 3 Warren Ave
Exeter NH.
Service/Property Address: _____

Today's Date: 5-7-18
Account Number: 323235900
Route Number: _____
Phone Number: 778-0630

Utility Abatement Requested for: Water: Sewer _____ Water & Sewer _____
Date of Bill: _____ Billing Period from _____ to _____ Amount of Bill: \$ 1620-

Owner's reason for the abatement request (Please be as specific as possible): I found that the spicket for my hose was turned on and was left running. My backyard is used for a short cut for the kids in the neighborhood and I think one of them turned it on.

Signature of Applicant Susanne Foley

Date 5-7-18.

Signature of Billing Office _____

Date _____

Do not write below this line

Reviewed by: _____
Comments: _____

Date of Review: _____

Total Usage= _____ gallons
-Q- year Average- (_____ + _____ + _____) / _____ = _____ gallons
Excess above average- _____ gallons
Half of Excess gets abated- _____ gallons

Due Remaining excess- _____ gal -yr average- _____ gal Billable usage- _____ gal

Tier 1-- rates Tier 3-- rates
water _____ gal * \$ _____ /1000 gal = \$ _____ water _____ gal * \$ _____ /1000 gal = \$ _____
sewer _____ gal * \$ _____ /1000 gal = \$ _____ sewer _____ gal * \$ _____ /1000 gal = \$ _____
\$ _____ \$ _____

Tier 2-- rates
water _____ gal * \$ _____ /1000 gal = \$ _____
sewer _____ gal * \$ _____ /1000 gal = \$ _____
\$ _____

Total due= _____

Recommendation: _____ Disapprove _____ Approve Amount: \$ _____

Approval/Disapproval Signature: _____ Date: _____

If you disagree with the decision of the Department of Public Works & the Finance Department, you may appeal to the Town of Exeter Board of Selectmen. If you wish to appeal, please sign below and return this form to the Finance Department at 10 Front Street.

Signature of Applicant _____

Date _____

Abatement Request – Water/Sewer Department

Meeting Date: 5/21/18; 6/18/18

Applicant: Susanne Foley, 3 Warren Avenue.

Property Description: 3 Warren Avenue is a single-family home. The property is owned by Susanne Foley.

Discussion:

The Water & Sewer Department received an abatement request in May 2018. The Water & Sewer Department did not go to the home to do any investigation or leak checks, but did do data downloading from the meter. The leak was identified by the homeowner. Homeowner found outside water spigot had been turned on. The abatement request indicated the water was shut off once the spigot was identified as the source of the usage.

Conclusion:

Based on the documented abatement request, the Water & Sewer Department believes a leak occurred on the property. Select board policy states that in the event the source or cause of the abnormally high consumption is related to a leak due to customer negligence such as failure to maintain internal (private) plumbing fixtures in good repair, the customer shall be held responsible for the entire bill. If the Select Board wishes to grant the abatement for the sewer usage portion above the usage average, the calculated abatement amount is \$613.52 for a new bill total of \$1,007.40. ***Update: If the Select Board wishes to grant the abatement for the water & sewer usage portion above the usage average, the calculated abatement amount is \$666.88 for a new bill total of \$954.04.***

Special Notes:

Homeowner thinks kids may have turned the water on

Select Board Review: **Update 6/15/18:** The Select Board requested calculations abatement for water and sewer usage as a one in 10 year. _____

Accept Request: _____

Deny Request: _____

Chairperson Initials: _____

Water & Sewer Abatement Receipt

Reason for Abatement: The Board of Selectmen made a decision to grant abatement according to Selectman Policy 08-30

Abatement Amounts: **\$666.88 (W/S); \$613.52 (S only)** **New bills total:** **\$954.04 (W/S); \$1,007.40(S only)**

BOS Signature: _____

BOS Signature: _____

BOS Signature: _____

BOS Signature: _____

BOS Signature: _____



Application for Fireworks/Parade Requests

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

Phone: 603-778-0591 Fax: 603-777-1514

Email: sriffle@exeternh.gov

Fireworks
 Parade

Other _____

Liability Insurance Required: Certificate of Insurance to be submitted with completed application. Required Amounts: General Liability/Bodily Injury/Property Damage (combined): \$300,000-\$1,000,000 with additional personal injury of \$300,000; the Town of Exeter must be listed as an additional insured.

If permit involves overnight use of blocking off an area then it is suggested to have them in place before dark, applicants are responsible for all barricades.

Applicant Information:

Name: Darius X. Thompson Address: 15 Drinkwater Road

Town/State: Exeter, NH 03833 Phone: 603.686.8131 Email: darius.thompson@gmail.com

Organization/Company Information:

Name: Exeter Holiday Parade Committee Address: P.O. BOX 164

Town/State/Zip: Exeter, NH 03833 Phone: 603.686.8131

Describe Activity: 61st Annual Exeter Area Holiday Parade

Describe Location: Portsmouth Ave to High St, onto Water St. Ending where Water St Main St.

Date(s) of Activity: Saturday 8 Dec 2018 Time of Activity: 5:30 PM - 9 PM

Blocking Off: (location and quantity of parking spaces) Consult Exeter PD for specific spaces locations

Digitally signed by Darius X. Thompson
DN: cn=Darius X. Thompson, o=Exeter
Holiday Parade Committee, ou,
email=darius.thompson@gmail.com, c=US
Date: 2018.05.21 07:48:55 -04'00'

21 MAY 2018

Applicant Signature

Date

Highway Superintendent: _____

6-13-18

Date

Code Enforcement: _____

6/10/18

Date

Police Chief: _____

6/6/18

Date

Fire Chief: _____

6/4/18

Date

This permit is issued for the purpose indicated and shall be valid only during the times/dates indicated on this permit.
As authorized by the Board of Selectmen/Designee:

Date



Sheri Riffle <sriffle@exeternh.gov>

NH Fiddle Ensemble 2019 concert dates

Keryn Bernard Kriegl <kbernardkriegl@nhchildrenstrust.org>

Mon, Jul 2, 2018 at 3:42 PM

To: Sheri Riffle <sriffle@exeternh.gov>

Cc: "Ellen Carlson (fiddleac@comcast.net)" <fiddleac@comcast.net>

Dear Sherri and John,

Please find our application for event use of Town Facility attached. We request that the staging company be allowed to set up the stage extension on April 12, 2019 and that the crew be able to set up the hall on April 13, 2019 beginning at 2 pm. Ellen Carlson is the NH Fiddle Ensemble Director and will work with you to arrange rehearsal times and pick up and return of the keys for the above.

NH Children's Trust is a nonprofit agency, and requests that the rental fee be waived. Two members of our board of directors are Exeter residents. NH Children's Trust will provide the certificate of liability insurance for April 13, 2019. Exeter Town Hall has been a generous supporter of the concerts for several years and we are grateful.

We'd like more information about usage of the poster board and the plywood board. We would appreciate Exeter's help with promoting the event.

Have a great summer.

Keryn Bernard-Kriegl, MS

Executive Director

New Hampshire Children's Trust

10 Ferry Street, Suite 315

Concord, NH 03301

603-224-1279



From: Sheri Riffle <sriffle@exeternh.gov>
Sent: Monday, July 02, 2018 10:51 AM
To: Keryn Bernard Kriegl <kbernardkriegl@nhchildrenstrust.org>
Subject: Re: NH Fiddle Ensemble 2019 concert dates

[Quoted text hidden]

 **Exter TH application for facility.pdf**
416K



Application for Event Use of Town Facility

Forms submitted to: Town of Exeter, 10 Front Street, Exeter, NH 03833

Fax #: 603-777-1514 email: sriffle@exeternh.gov

Use Request: Town Hall (Main Floor) Bandstand Parking - # Spaces _____ Location _____

Signboard Request: Poster Board Week: _____ Plywood Board Week: _____

Representative: NH CHILDREN'S TRUST, INC.

Name: KERYN BERNARD-KRIEGL Address: 10 Ferry St. Suite 315

Town/State/Zip: Concord NH 03301 Phone: 603-224-1279

Email: info@nhchildrenstrust.org KbernardKriegl@nhchildrenstrust.org

Organization:

Name: NH Children's Trust, Inc. Address: SAME

Town/State/Zip: _____ Phone: _____

Reservation Details:

Type of Event/Meeting: Concert Date: April 13, 2019

Start Time of Event: 6pm End Time: 10pm Additional Time for set-up/clean-up: 2-6pm + 9-10pm

Will food/beverages be served/prepared in the foyer or room to the right? Yes No

If Tech/ AV Services are Needed, provide details*: N/A We will have a stage setup the day before

Requirements:

Rental Fee: For Town Hall use there is a fee of \$125 per day. A rental fee waiver may be requested in writing.

Cleaning Deposit: A cleaning deposit of \$100 is required of any user serving food or beverages. If the town determines after use that the building was acceptably cleaned, the deposit fee will be returned to the user. No food is allowed in Main Hall of the Town Hall. If food is to be served and/or prepared in foyer of Town Hall, the electrical outlet cannot exceed 20 amps.

***Tech/AV Services:** There is a fee of \$80 an hour for any Tech/AV services needed. Services must be arranged in advance. Email aswanson@exeternh.gov to coordinate.

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

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

Signing below acknowledges receipt of and agreement to all rules, regulations and requirements pertaining to the use of a town facility. Access to the 2nd floor is not allowed during events. Bathroom are accessed from outside the Town Hall. Permit approvals are contingent upon proper insurance and fees paid to the Town of Exeter.

Applicant signature: Keryn Bernard-Kriegl Date: 7/2/18

Authorized by the Select Board/Designee: _____ Date: _____

Office Use Only:

Liability Insurance: On file In-process Fee: Paid Non-profit fee waiver requested



Application for Town Hall Facility Use

Faxed #: 603-777-1514 or emailed: sriffle@exeternh.gov
Forms can be mailed: Town of Exeter, 10 Front Street, Exeter, NH 03833

Facility Requested: Town Hall (Main Floor/Town Hall Stage) Balcony

Representative Information:

Name: Cathy Lewis Address: 76 Main Street
Town/State/Zip: Amesbury, MA 01913 Phone: 978-388-0400
Email: mcinnisauctions@yahoo.com Date of Application: 6/27/2018

Organization Information:

Name: John McInnis Aucitoneers Address: same
Town/State/Zip: same Phone: same

Reservation Information:

Type of Event/Meeting: Auction Date: Aug 25-26
Times of Event: 7 am Times needed for set-up/clean-up: Aug 19-Aug 27
of tables: _____ # of chairs: _____
List materials being used for this event: _____
Will food/beverages be served? Y Description: light refreshments

Requirements:

Rental Fee: For Town Hall use there is a fee of \$125.00 per day. A rental fee waiver may be requested fee in writing.

Cleaning Deposit: A cleaning deposit of \$100 is required of any user serving food or beverages. If the town determines after use that the building was acceptably cleaned, the deposit fee will be returned to the user. No food is allowed in Main Hall of the Town Hall. If food is to be served and/or prepared in foyer or room on the right of the foyer, the electrical outlet cannot exceed 20 amps.

***Tech/AV Services:** There is a fee of \$80 an hour for any Tech/AV services needed. Services must be arranged in advance. Email extvg@exeternh.gov to coordinate.

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

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

Signing below acknowledges receipt of and agreement to all rules, regulations and requirements pertaining to the use of a town facility. Access to the 2nd floor is not allowed during events. Bathroom are accessed from outside the Town Hall. Permit approvals are contingent upon proper insurance and fees paid to the Town of Exeter.

Applicant signature: _____ Date: 6/27/18

Authorized by the Select Board /Designee: _____ Date: _____

Office Use Only:

Liability Insurance: On file In-process Will receive by _____

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



chef leo leone Re: Mcinnis Auc food truck No Subject 12 High Road Estate Sales qu weathe

Compose

Back navigation icons, Archive, Move, Delete, Spam, and other action icons.

Inbox 428

Unread

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Archive

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Views Hide

Photos

Documents

Travel

Purchases

Tutorials

Folders Hide

+ New Folder

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BURBRIDGE,... 2

CONSIGNMENTS

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INQUIRIES 6

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Legal

MARCH 2018 4

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Town Hall Rental

Yahoo/Sent



John McInnis Auctioneers <mcinnisauctions@yahoo.com>

To: Sheri Riffle



Jun 27 at 12:19 PM



Hi Sheri,
Here is a copy of the rental agreement.
A hard copy is being sent with a check.
Let me know if you need anything else.
See you soon!

We will be using your IT person.
I did have a conversation with him
We will be in touch soon.

Thank you for all of your help!
It is always a pleasure,
Cathy



rental agree... .pdf
404.2kB

Navigation icons for the email content area.

*I have applied for
CoT and will mail
once received
Cathy*



June 5, 2018

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

Re: Package Equipment Changes

Dear Chairman and Members of the Board:

We recently shared with you a number of new, simpler pricing and package options that have been made available to residents in your community. Customer satisfaction is a priority for us at Comcast and we continue to create ways to deliver more value, flexibility, transparency, and choice for the communities we serve. To that end, starting June 6, 2018, a TV Box and Remote will no longer be included in our packages and we will reduce the price of applicable packages accordingly.

Today, most Comcast video packages include the rental of a TV Box and Remote for use on the primary TV in the home. In some instances, we have found that certain customers have chosen to use their own video devices, like a TiVo, instead of using Comcast equipment, and as a result we have applied an equipment credit to their accounts for the charge of the Comcast device that is included in the price of their package.

The TV Box and Remote for the primary TV will now be billed separately at \$2.68, the current combined price for the rental of a Comcast TV Box and Remote. Customers may still choose to rent a TV Box from us, or they can opt for a retail device alternative, including via the Xfinity Stream app for Roku devices and select Samsung Smart TVs (with additional options to come); the Xfinity Stream app and portal for computers and mobile devices; or a CableCARD device like TiVo. Customers do not need to take any action unless they choose to change the way they are watching their cable service.

Customers will receive notice of this change with their June bill. If you have any questions, please do not hesitate to contact me at 603.334.3603.

Sincerely,

Jay Somers

Jay Somers, Sr. Manager
Government Affairs

Town Manager's Office

JUN 11 2018

Received



June 27, 2018

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

Re: Important Information on Video Services

Dear Chairman and Members of the Board:

At Comcast we continue to innovate and deliver more value, flexibility and choice to our customers. On June 28, 2018, we will introduce the following new Choice TV package options, giving customers even more choice for a personalized experience.

Choice TV at \$30.00 per month will include Limited Basic, Streampix, and HD programming. A TV Box, CableCard or compatible customer owned equipment will be required for customers to receive Choice TV services. Up to 10 hours of cloud DVR Service is included for those customers who have our X1 equipment or compatible customer owned equipment and Xfinity Internet service.

Choice TV Double Play at \$89.99 per month will include Choice TV and Performance Plus Internet. Compatible equipment will be required.

Genre Packs will be available to enhance the Choice TV service offering, providing a more personalized experience. Customers are able to add up to two packs to Choice TV.

- **Kids & Family** at \$10.00 per month includes kid and family-friendly channels including Cartoon Network, Disney Channel, Nickelodeon and Universal Kids.
- **Entertainment** at \$15.00 per month includes entertainment channels including A&E, AMC, Bravo, Food Network, FX, TNT and VH1.
- **Sports & News** at \$28.25 per month includes sports and news channels including CNBC, CNN, ESPN, Golf, MSNBC, NBC Sports and NFL Network. Cannot be combined with Choice TV Double Play; Choice TV Double Play customers who want the Sports & News genre pack would receive more channels at a cheaper price with Comcast's Standard Double Play package.

Customers will be able to take advantage of these new packages starting June 28, 2018. In addition, as we introduce these new service offerings, the following services and packages will no longer be available for new subscriptions: Economy Double Play, Digital Preferred package, Digital Premier package, Basic Latino TV, Economy TV Latino, Starter TV Latino, Digital Economy and Family Tier.

We're happy to be able to provide more value, flexibility and choice through our new Choice TV offerings.

Additionally, we wanted to share with you a correction to our April 16, 2018 letter regarding the launch of Super Double Play. Inadvertently we stated that DVR Service is included with the Supper Double Play. DVR Service is not included with the Super Double Play. We apologize for this error and any confusion it may cause.

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

Sincerely,

Jay Somers

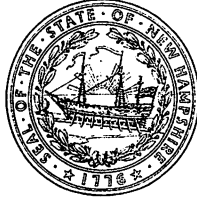
Jay Somers, Sr. Manager
Government Affairs

State of New Hampshire

Board of Tax and Land Appeals

Michele E. LeBrun, Chair
Albert F. Shamash, Esq., Member
Theresa M. Walker, Member

Anne M. Stelmach, Clerk



Governor Hugh J. Gallen
State Office Park
Johnson Hall
107 Pleasant Street
Concord, New Hampshire
03301-3834

July 2, 2018

Walter L. Mitchell, Esq.
Mitchell Municipal Group, P.A.
25 Beacon Street East
Laconia, NH 03246

Re: #28376-15PT, East Coast Ventures, Inc. v. Town of Exeter

Dear Attorney Mitchell:

In response to your June 27, 2018 letter, the board will keep the above-captioned appeal open. Please consult with the Town regarding the status of the settlement recommendation and notify the board in writing, within thirty (30) days of the date of this letter, of the status. If the recommendation is not approved, the hearing will be rescheduled in due course.

If you have any questions, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Anne M. Stelmach".

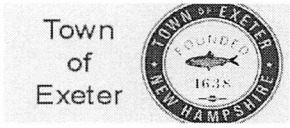
Anne M. Stelmach, Clerk

AMS/lmm

cc: Karyn Forbes, Esq.
Shaheen & Gordon P.A.
107 Storrs Street
PO Box 2703
Concord, NH 03302

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

Municipal Resources, Inc.
120 Daniel Webster Highway
Meredith, NH 03253



Russ Dean <rdean@exeternh.gov>

Fwd: News Alert: Exeter is Among Top "Safest Cities to Raise a Free-Range Child" in 2018, According to SafeWise

William Shupe <wshupe@exeternh.gov>
To: Russ Dean <rdean@exeternh.gov>

Thu, Jun 21, 2018 at 6:05 PM

Russ - FYI
Bill

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

From: William Shupe <wshupe@exeternh.gov>
Date: Thu, Jun 21, 2018 at 6:02 PM
Subject: Re: News Alert: Exeter is Among Top "Safest Cities to Raise a Free-Range Child" in 2018, According to SafeWise
To: Krystal Rogers <krystal.rogers@safewise.com>

Yes and thank you.

Chief Bill Shupe

On Thu, Jun 21, 2018 at 5:49 PM Krystal Rogers <krystal.rogers@safewise.com> wrote:
Good Morning Bill,

I'm very happy to announce that SafeWise has released its 3rd annual "Safest Cities to Raise a Child" report. This year's report is focused on the "50 Safest Cities to Raise a Free-Range Child."

Exeter, New Hampshire ranked #6 for 2018!

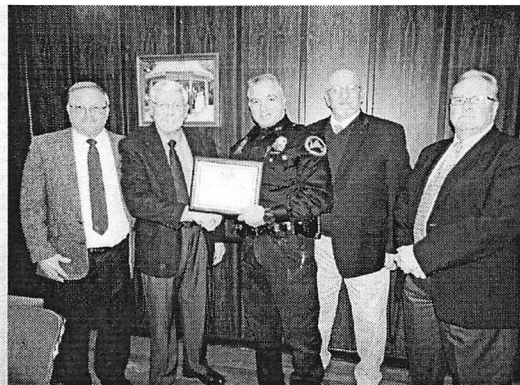
Check out the full report here: <https://www.safewise.com/blog/safest-cities-to-raise-a-child/>

Due to the rising trend in free-range parenting—Utah even passed a law—SafeWise analysts decided to factor that parenting style into our research. We dug deep into eight child safety factors to help us identify the safest cities to raise children—those who remain under close supervision *and* those who are allowed to wander on their own.

Our designers created a personalized certificate and 2018 website badge to display on your community news and social media pages.



Grand Sheriff's Top Sheriff's Office, L. Victoria, Jr., presents a personalized certificate to officers in the Green Hill Police Department in North Andover, MA.



Lewiston Police Department Chief Frank Previte shares a certificate with the Village of Lewiston recognizing placement on the SafeWise.com list of safest cities in New York.

Many cities choose to present their certificate to their most stand-out police officers, city officials, neighborhood watch group and top community agencies, resulting in some great positive media coverage!

Reply **YES** to this email to claim your personalized certificate, website badge and press release.

Thanks for all that you do. I'm here to answer any questions.

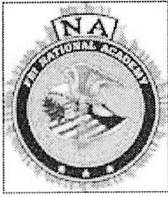
Sincerely,
Krystal

Krystal Rogers | Community Outreach



--
Chief William D. Shupe
Exeter Police Department

(W) 603 772-1212
(D) 603 773-6138
(F) 603 778-7061



--
Chief William D. Shupe
Exeter Police Department

(W) 603 772-1212
(D) 603 773-6138
(F) 603 778-7061



June 23, 2018

To the Town of Exeter BOS and Residents,

Having read Karen Desrosiers' document submitted to the town (dated June 13, 2018), and though I do not wish to continue in any further discussions or comments on the subject of the EAC, as I was mentioned by name in her statement, I feel that it is warranted for me to take a stand on the comments referencing my conduct.

On page 26, Karen references me, and I find her account to be totally inaccurate and untrue. My recollection of the event in question differs significantly from her version: I pulled into the parking lot because I was attending a meeting across the street at The Inn by the Bandstand in order to drop off some of my paintings for display. As I was getting out of my car, Karen was walking up the ramp next to the Town Hall. This was nothing more than a chance encounter. Karen and I have known each other for years through participating in EAC events and art show openings, so we said hello. Karen was publicly and vocally upset with me for organizing the recent Warrant Article 28, and I knew there was a general (yet incorrect) perception that Article 28 was somehow a TEAM effort. In an effort to dispel the inaccurate assumption that TEAM was behind the warrant article, I explained to her that the article addressed something I personally perceived to be an issue, and one which needed to be addressed by Exeter as the town continues to grow and move forward. In response to my justification, I recall her saying that if I explained it that way, the warrant article would not be necessary. I let her know that I was explaining my position through talking with many people in town (not just artists), and that I felt it was something the town should vote on. I truthfully added that I hoped there was no animosity between us.

Throughout this entire encounter, she was standing on the ramp above me; I was not standing in her space or being aggressive in any way. The conversation only lasted a few minutes. I never raised my voice, became hostile, or argued with her. I'm very sorry that she felt uncomfortable, but to say that she felt threatened is extremely surprising to me.

Those who know me find Karen's accusations and description of me to be humorous, however, I find it to be a completely inaccurate and patently false statement of what transpired, and one which is harmful to my reputation. Her unfair allegations against both my character and my actions have been fabricated and distorted, and are clearly based solely on my involvement with TEAM, with whom her grievances have been well documented.

On page 29 of her document, Karen again mentions me. She alleges that I posted the EAC video in the Exeter TV YouTube feed in an attempt to give the video credibility, as though it were an official tape filmed by the town. This is another unfounded and completely inaccurate statement. I borrowed the video camera from EXTV, and filmed the meeting hoping that it would provide an opportunity for everyone interested to see for themselves what is being said in these meetings, and in what context and environment. The ExTV98 Policies and Procedures manual states, Section 3, 3.4c "Intend to use the community access equipment or facilities for sole purpose of producing programs for the access channels". Before the session began, I asked for permission to video the meeting, and everyone in the room, including Karen, agreed. Both the request and the granted permission are cited in the EAC minutes. When I returned the camera to EXTV, I was told it could be posted on YouTube, and that it would have a disclaimer that it was not an official town production, but rather, would have my name on it as the filmer. I agreed.

When I dropped off the tape to EXTV, I did make sure to mention that nothing was edited, and the response from their technician was, "of course not." This was not a rogue video by any means.

On page 30 of her document, Karen writes that I called the EAC a "joke" on a Facebook thread. This is simply a blatant lie - I have never said that about the EAC. Someone else on the thread in question coined the term "Crazy Town," and as I find this whole situation out of control and a bit on the "crazy" side, I fully admit that I did repeat, "welcome to crazy town." My superficial comment was nothing more than a reference to a specific situation, and was by no means meant to discredit the town as a whole. My family and I have been Exeter residents for 30 years, and I have genuine respect for the people who enthusiastically volunteer on all of the town boards and committees, and for also all of the volunteers who work tirelessly in the private sector to better our community.

I plainly admit that I do not have a full understanding of all of the issues that she discusses in her extensive document, but Karen's false and misleading statements about me cause me to question the validity of her other recollections and statements. I have always promoted the arts in Exeter; 20 years ago, I was the treasurer of ECCC, I was a volunteer who assisted in getting the 2nd floor Town Hall gallery up and running, I participated in EAC shows and those of other local art venues; currently, I am the artist in residence at the Inn by the Bandstand. For the past several decades, I have consistently supported Exeter's artistic community, and absolutely plan to continue.

It is neither my intention nor my aim to fan the flames of outrage and make this dispute into something bigger than it is, but if this slander against me continues, I will speak out.

Best,

Bruce Jones

Exeter, NH

5 Jul 2018

To: Julie Gilman, Chair of Exeter Selectboard, Russel Dean, Town Manager, Exeter Selectboard Members, Memorial Day Parade Committee.

RE: Holiday Parade Storage Items – Pictures to follow

All storage containers used for the Holiday parade have my name and telephone number on the container or written on shrink wrap or on the item directly. Everything is on pallets or in a container all in the same area. This has been done over the years so that if there were every any questions, I could be contacted.

For anyone to state or imply otherwise is not accurate.

The blue bin was locked and secured with a cable lock, my name and phone number are next to were the cable locked was secured see pictures.

There is another tool box that is also secured with a lock.

Using Bolt cutters to access a container that was locked without contacting the person who is responsible for these donated materials for the past 15+ years and who's name and phone number is on all containers for the Holiday Parade is just plain wrong.

This has nothing to do with the Memorial Day parade. Its about common decency and respect.

For the record, at my own expense three years ago, I acquired the six steel poles, necessary, bolts, flanges, plywood, elbows, threaded each pole, painted and assembled them for the Memorial Day Parade Committee. These poles for each branch have been used for the last three years. This was one way I could do a small part to honor the fallen.

I am always willing to help out, all anyone has to do is ask.

Darius Thompson, Managing Director Exeter Holiday Parade 603.686.8131



ALL

DARIOS

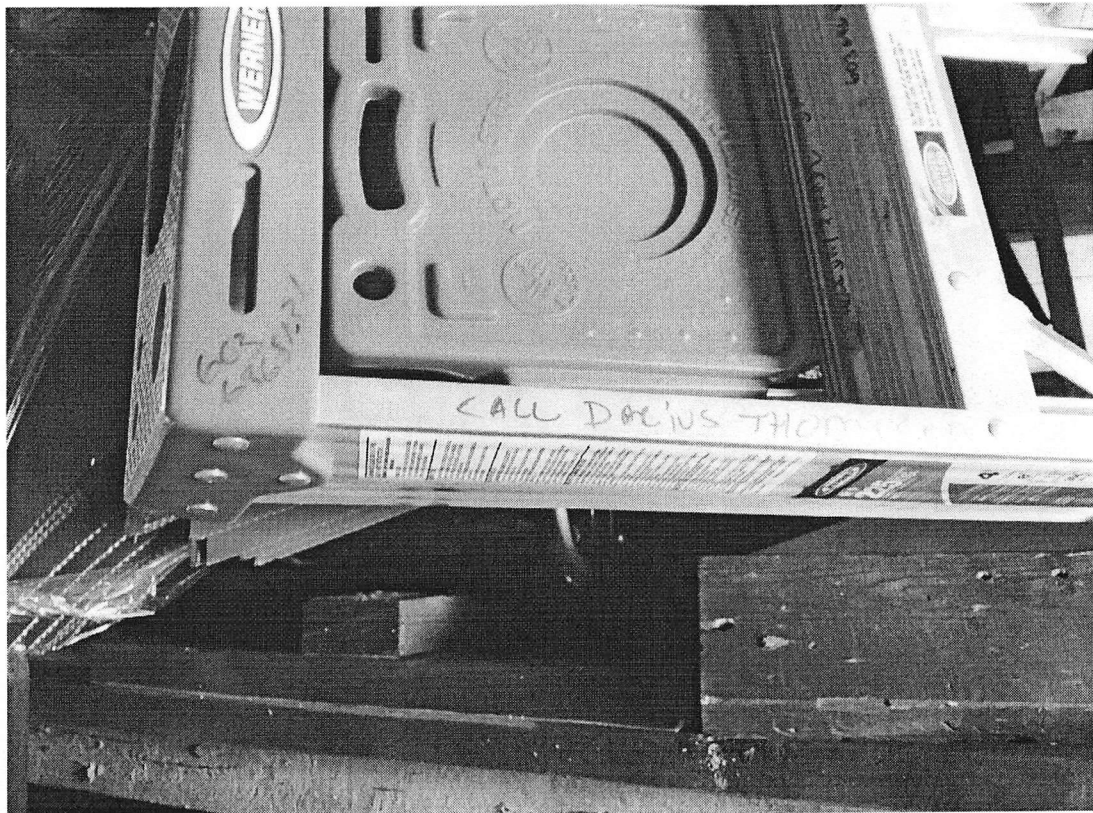
THOMPSON

603 686 8131

HOLIDAY PARADE

COMMITTEE









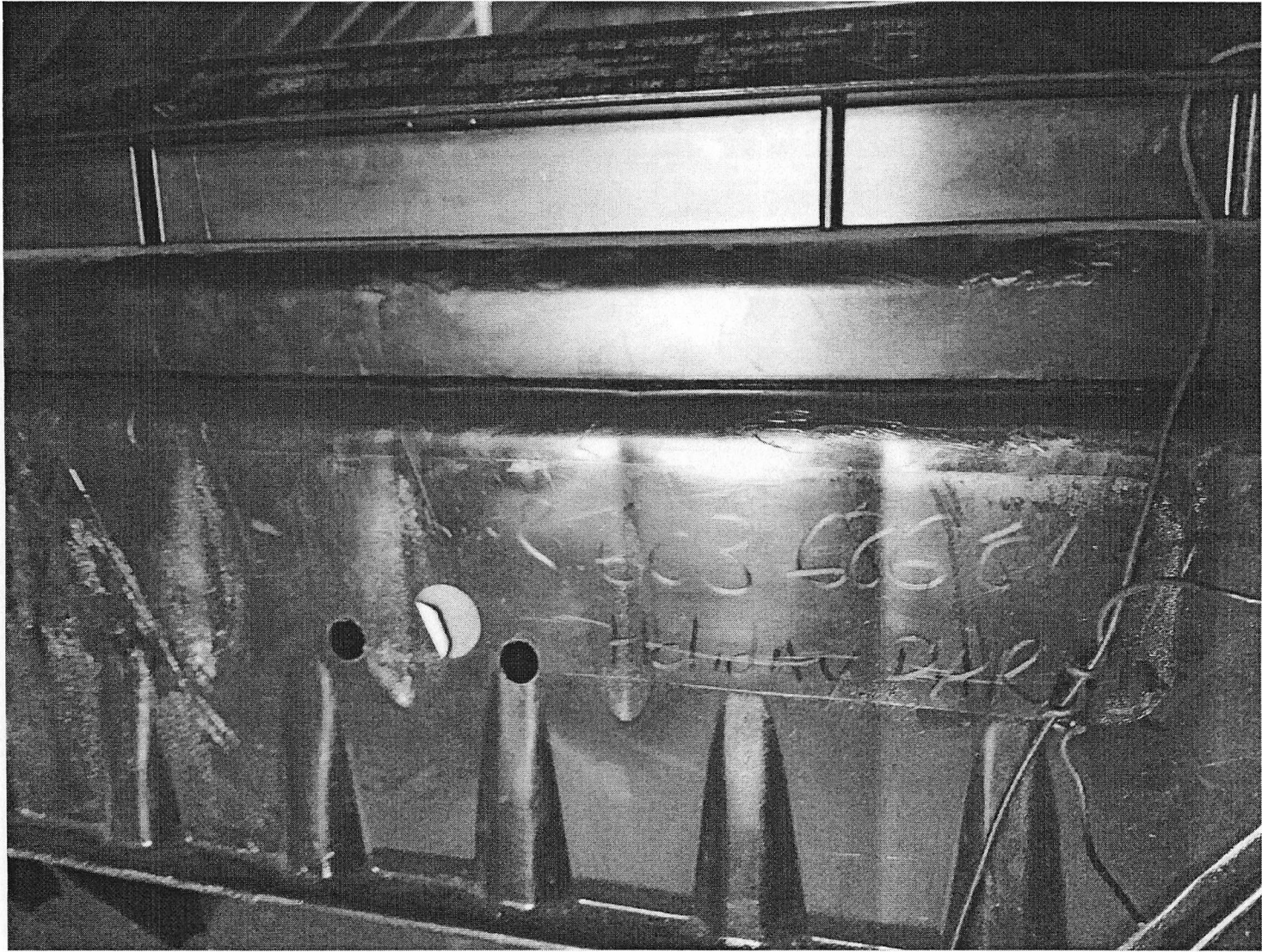


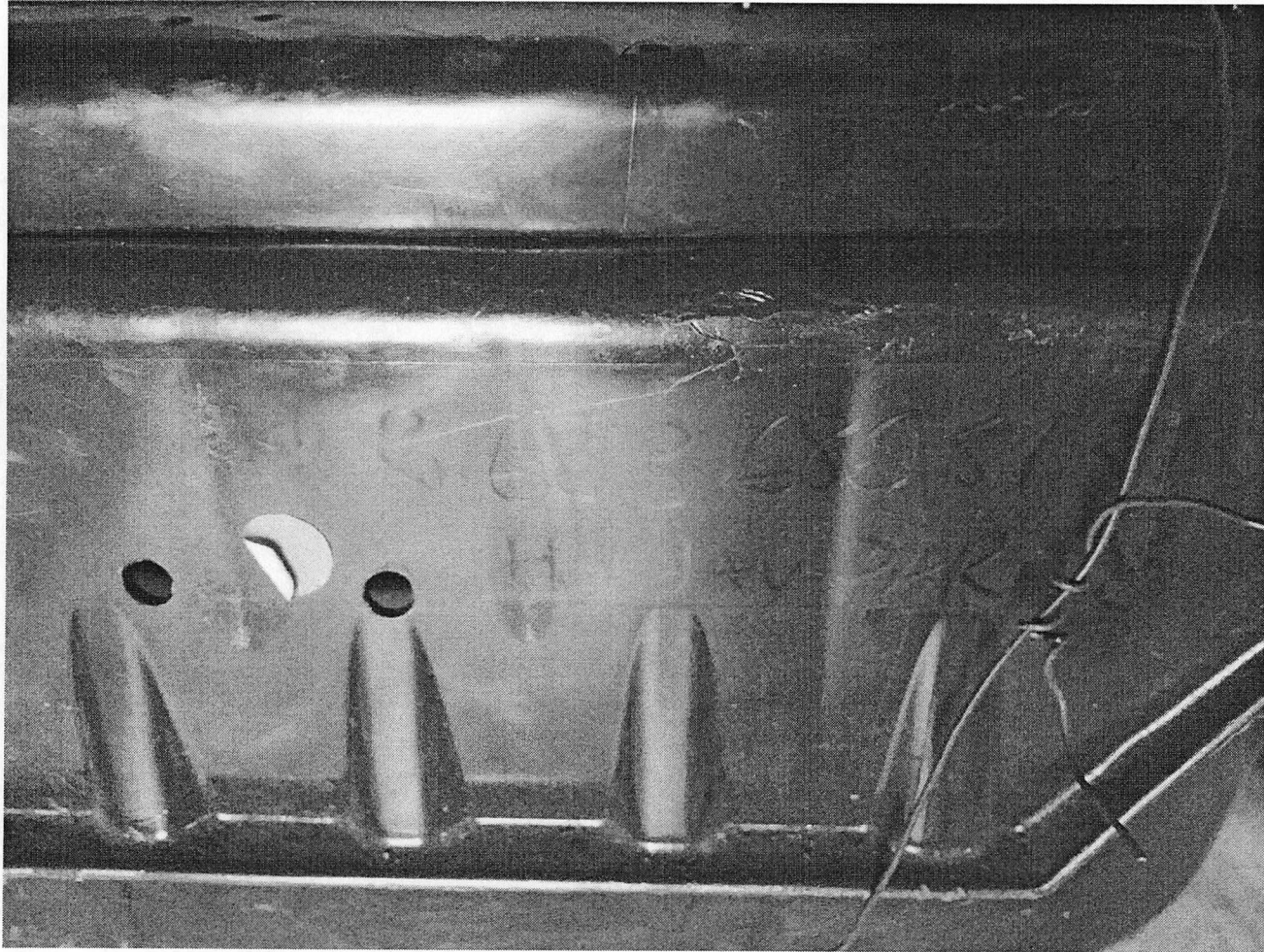


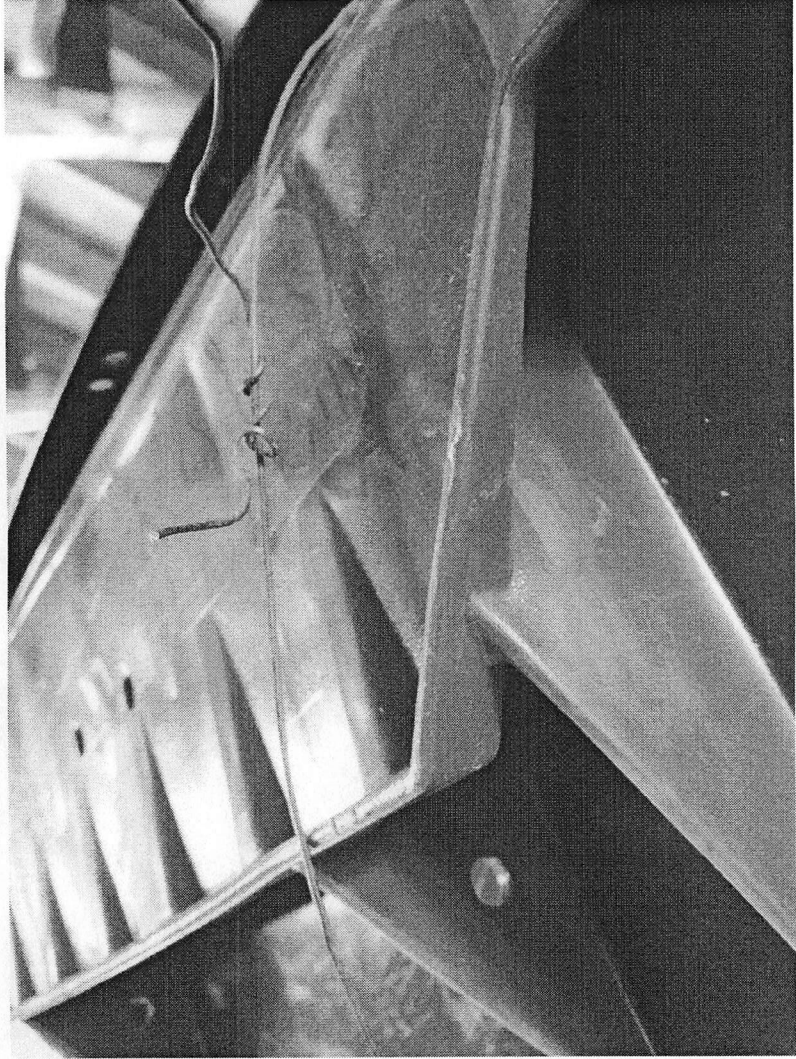


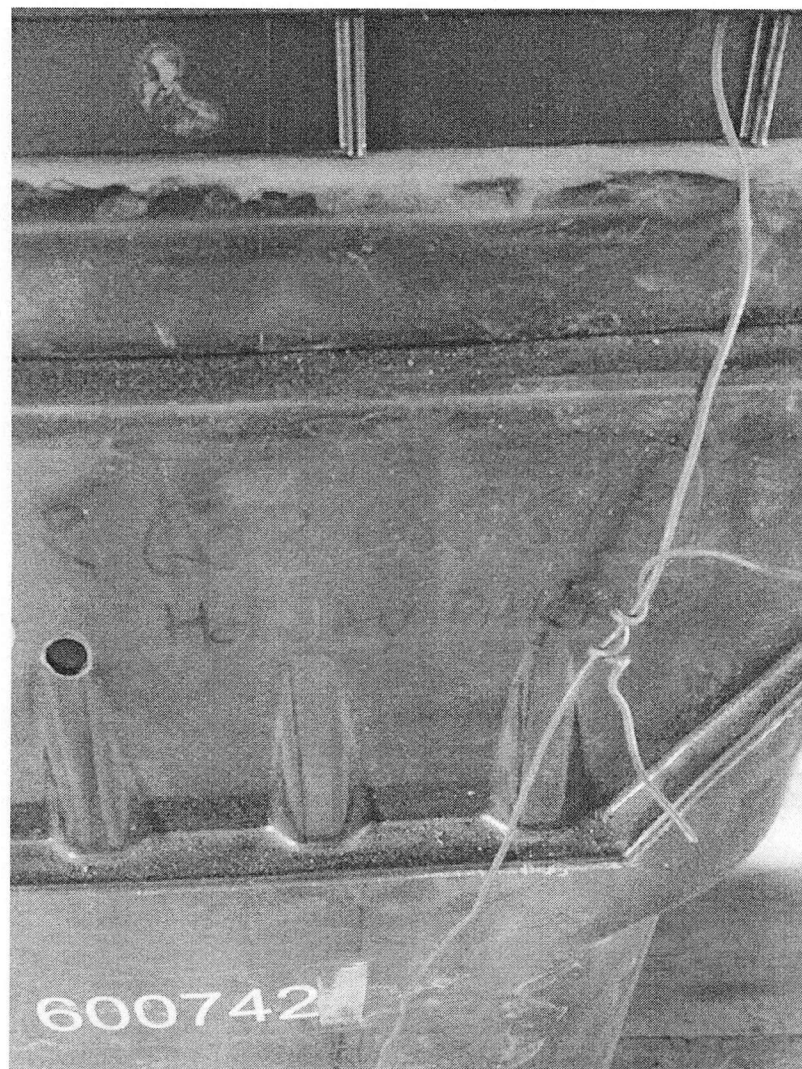
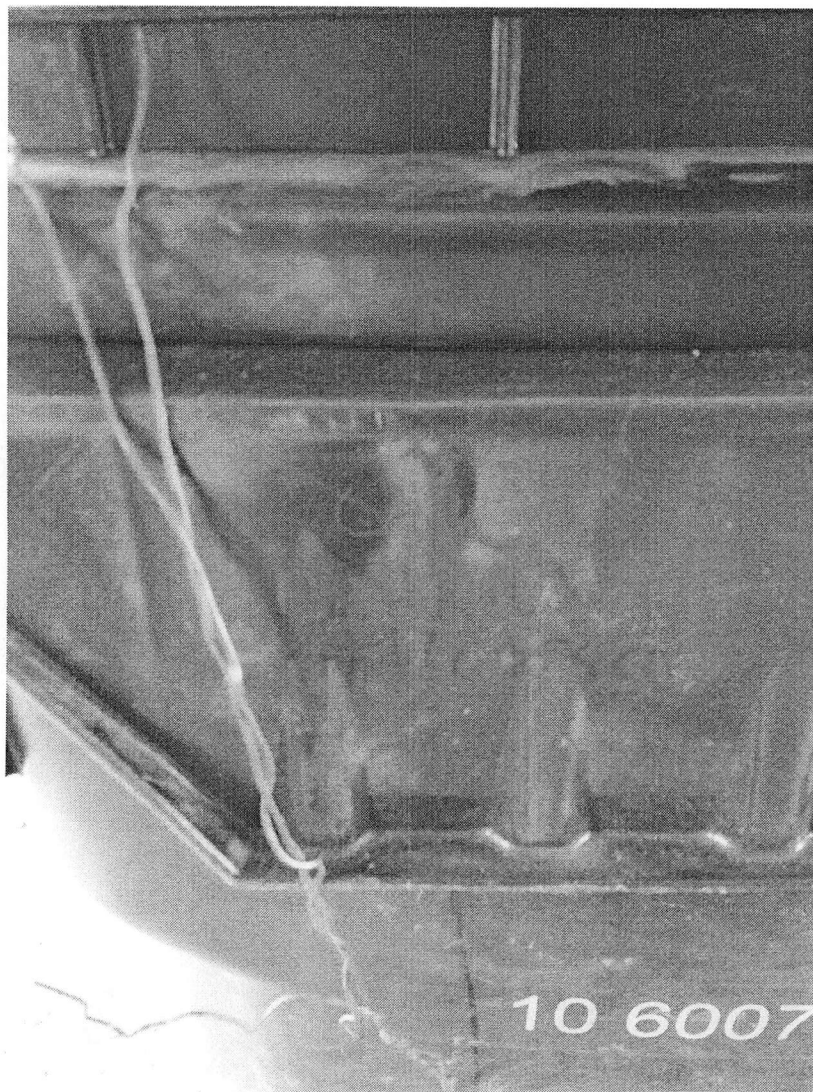












Town
of
Exeter



Russ Dean <rdean@exeternh.gov>

Select Board agenda item

Derek H <dhaddad7@gmail.com>

Mon, Jul 2, 2018 at 11:27 PM

To: Russ Dean <rdean@exeternh.gov>, "Julie Gilman (Town)" <jgilman@exeternh.gov>, Molly Cowan <mcowan@exeternh.gov>, kcorson@exeternh.gov, dclement@exeternh.gov, ASurman@exeternh.gov

Good evening,

I recently watched Roger Goun's video on Facebook about the lack of accessibility to a ramp for those like him in wheelchairs parking in a certain handicapped parking spot in downtown Exeter. As a couple officials already intimidated on the Facebook post, I do hope this issue gets added to the Select Board agenda ASAP and fixed. Roger and others in wheelchairs should not feel unsafe trying to get from their car to the sidewalk, especially since more and more cars are driving a bit recklessly through the area.

Thank you,
Derek Haddad
32 Jady Hill Ave #2
Exeter, NH