

Select Board Meeting
Monday, August 24th, 2020, 6:30 p.m.
VIA ZOOM

Virtual Meetings can be watched on Channel 22 and Exeter TV's Facebook and YouTube pages.

To participate in public comment, click this link: <https://exeternh.zoom.us/j/83218078516>

To participate via telephone, call: +1 646 558 8656 and enter the Webinar ID: 832 1807 8516

Please join the meeting with your full name if you want to speak.

Use the "Raise Hand" button to alert the chair you wish to speak. On the phone, press *9.

More participation instructions: <https://www.exeternh.gov/townmanager/virtual-town-meetings>

Contact us at extvg@exeternh.gov or 603-418-6425 with any technical issues.

AGENDA

1. Call Meeting to Order
2. Board Interviews – Police Stakeholders Committee
3. State Primary Election Updates: Town Moderator, Town Clerk, Checklist Supervisor
4. Public Comment
5. Proclamations/Recognitions
6. Approval of Minutes
 - a. Regular Meetings: August 10th, 2020, July 27th, 2020, July 13th, 2020
7. Appointments – Sustainability Advisory Committee, Recreation Advisory Board
8. Discussion/Action Items
 - a. Public Hearing: Emergency Mask Ordinance
 - b. Chamber of Commerce Lease Renewal: Lower Level Town Hall
 - c. Outdoor Watering Ban Recommendation – Public Works
 - d. Animal Control Ordinance Amendment Vote
 - e. Tennis Court Repairs: Parks Improvement Fund: \$10,628
 - f. New England Municipal Sustainability (NEMS) Network
 - g. COVID 19 Updates
9. Regular Business
 - a. Tax Abatements, Veterans Credits & Exemptions
 - b. Permits & Approvals
 - c. Town Manager's Report
 - d. Select Board Committee Reports
 - e. Correspondence
10. Review Board Calendar
11. Non-Public Session
12. Adjournment

Niko Papakonstantis, Chair
Select Board

Posted: 8/21/20 Town Office, Town Website

Persons may request an accommodation for a disabling condition in order to attend this meeting. It is asked that such requests be made with 72 hours notice.

AGENDA SUBJECT TO CHANGE



**STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR**

CHRISTOPHER T. SUNUNU
Governor

**STATE OF NEW HAMPSHIRE
BY HIS EXCELLENCY
CHRISTOPHER T. SUNUNU, GOVERNOR**

Emergency Order #12 Pursuant to Executive Order 2020-04

Temporary modification of public access to meetings under RSA 91-A

Pursuant to Section 18 of Executive Order 2020-04 it is hereby ordered, effective immediately, that:

1. Pursuant to Executive Order 2020-04, paragraph 8 provides: "State and local government bodies are permitted and encouraged to utilize the emergency meeting provisions of RSA 91-A to conduct meetings through electronic means while preserving, to the extent feasible, the public's right to notice of such meetings and ability to observe and listen contemporaneously."

2. Pursuant to Emergency Order #2 issued pursuant to Executive Order 2020-04, gatherings of fifty people or more are prohibited.

3. To implement these orders and recommendations, the requirement in RSA 91-A:2, III(b), that a quorum of a public body be physically present unless immediate action is imperative, is waived for the duration of the State of Emergency declared in Executive Order 2020-04.

4. To further implement these orders and recommendations, the requirement in RSA 91-A:2, III(c), that each part of a meeting of a public body be audible or otherwise discernible to the public "at the location specified in the meeting notice as the location of the meeting," is waived for the duration of the State of Emergency declared in Executive Order 2020-04 so long as the public body:

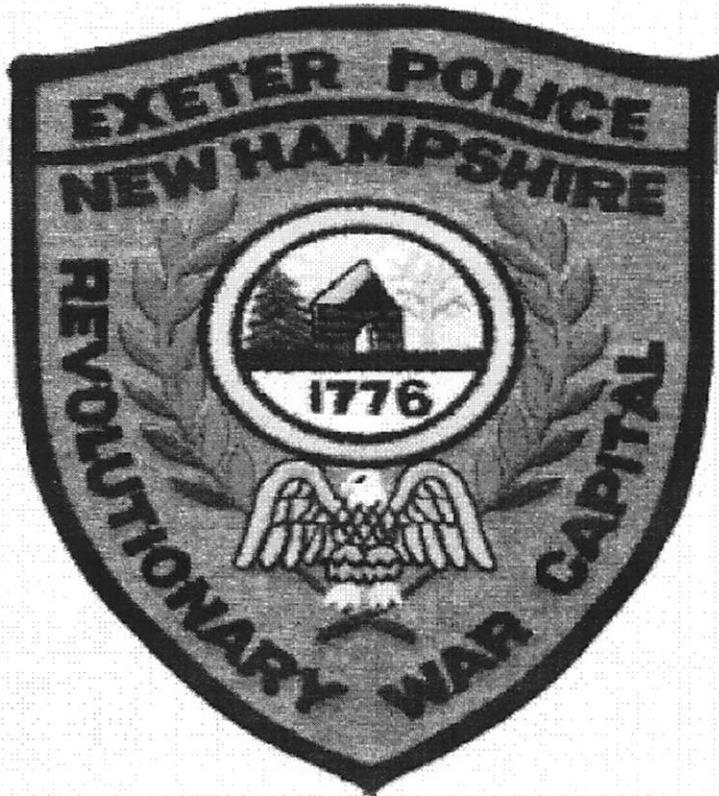
- a) Provides public access to the meeting by telephone, with additional access possibilities by video or other electronic means;
- b) Provides public notice of the necessary information for accessing the meeting;
- c) Provides a mechanism for the public to alert the public body during the meeting if there are problems with access; and
- d) Adjourns the meeting if the public is unable to access the meeting.

Given under my hand and seal at the Executive Chambers in Concord, this 23rd day of March, in the year of Our Lord, two thousand and twenty, and the independence of the United States of America, two hundred and forty-four.


GOVERNOR OF NEW HAMPSHIRE

Board Interviews: Exeter Police Stakeholders Committee

Exeter Police Stakeholders Committee (EPSC)



The Town of Exeter in conjunction with the Exeter Police Department is seeking to assemble a diverse group of 7-9 people to be active participants in the formulation of the Exeter Police Department's Strategic Plan, and to focus on applicable recommendations stated in the CPSM Exeter Police and Operations Report June 2020. Participants should consist of representatives from, but are not limited to:

Business leaders, elected and non-elected members of Town government, educators, clergy, community advocates, realtors, and residents etc.

Committee Goals: To create opportunities for the Town, EPD, business owners and community residents to engage, on a regular basis, to investigate priority areas of community building that will create an Exeter Police Department that accurately reflects the community's perception. To enhance communication, training, and create an organizational framework to promote racial inclusion and reconciliation between the Police department and the community. To familiarize police with critical conversations that are occurring in the community and allow community members to gain a better understanding of the Standard Operating Procedures (SOP) of policing. Ultimately, to examine the following goals and establish objectives in conjunction with CPSM EPD Police and Operations Report recommendations for the following goals:

- Provide Effective Police Services
- Develop, Strengthen, and Sustain Partnerships
- Develop Personnel
- Enhance Infrastructure
- Prevent Crime

To apply: Please complete a Town of Exeter Statement of Interest - Boards and Committee Membership Application and submit to the Town Manager's office (pmcelroy@exeternh.gov) by August 31, 2020. The application and more information on Committee appointments can be found [here](#).



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

Town Manager's Office

JUL 16 2020

Received

8/24/20
 6:30 pm
 confirmed
 Zoom

Statement of Interest
Boards and Committee Membership

Committee Selection: Exeter Police Stakeholders Comm.

New Re-Appointment Regular Alternate

Name: Kathy Corson Email: kathykcorson@gmail.com
 Address: 3 Folsom St Phone: (603) 686-9600

Registered Voter: Yes No

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

I would love to be able help examine the police department goals and objectives. Being part of bringing this department into a new way of community policing and evaluating the CISM Report of June 2020 sounds like a challenge. As a local Realtor and former Selectboard member and town volunteer it would be a pleasure to participate on this committee.

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

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

After submitting this application for appointment to the Town Manager:

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

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

Signature: Kathy Corson Date: 7/16/2020

To be completed by Select Board upon appointment:

Date Appointed: _____ Term Ending: _____ Full: _____ Alternate: _____



Town of Exeter

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

Town Manager's

JUL 16 2020

Received

8/24/20
6:40 pm
confirmed
Zoom

Statement of Interest Boards and Committee Membership

Committee Selection: Exeter Police Stakeholders Committee (EPSC)

New

Name: Timothy D. Kerber

Email: timkerber@gmail.com

Address: 34 Newfields Rd, Exeter NH 03833

Phone: (603) 365-6205

Registered Voter: **Yes <---**

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

I am a 19 year Exeter resident. My wife and I live on Newfields road along with our son and daughter. Both of our children are enrolled in the local school district (Exeter High and CMS). I am "twice retired" now. I was the CEO of software company for 10 years that I sold in 2016. Prior to that I retired from the town of Hampton as a police sergeant. I still do stock trading and manage our personal portfolio from home. My wife and I have both been very involved in the local Boy Scout troop 323. Kathleen is the committee chairperson for the troop and I regularly volunteer my time as needed including running the Scouting food drive for St. Vincent De Paul. Our son is finishing up his Eagle Scout rank right now. I had also volunteered as a coach of my son's baseball team for 5 years

My prior experience with Hampton Police I feel would offer some direct insights from a policing perspective. I was very involved in training at Hampton including use of force, First Responder (first aid), Drug Recognition Expert instructor trainer and I was a member of the the Seacoast Emergency Response Team for 6 years . Beyond the police aspect, I feel my experience as a local business owner, parent of children in the school district and frequent volunteer would prove valuable.

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

Not applicable – New position.

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

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

Signature: Timothy Kerber

Date: 07/16/2020

To be completed by Select Board upon appointment:

Date Appointed: _____ Term Ending: _____ Full: _____ Alternate: _____



Town of Exeter

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

Town Manager's Office

JUL 16 2020

Received

8/24/20 Zoom
6:50 pm confirmed

Statement of Interest Boards and Committee Membership

Committee Selection: EXETER POLICE STAKEHOLDERS COMMITTEE

New

Re-Appointment

Regular

Alternate

Name: ELLIOTT BERKOWITZ Email: ELLIOTTRONBERKOWITZ@GMAIL.COM

Address: 111 WATSON ST. EXETER Phone: 658-0004

Registered Voter: Yes No

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

SERGEANT NEW YORK CITY POLICE DEPT 1969-1984 RETIRED
EXETER RESIDENT AND BUSINESS OWNER 1985-PRESENT

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

N/A

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

After submitting this application for appointment to the Town Manager:

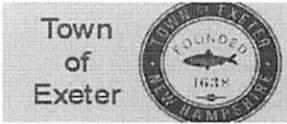
- The application will be reviewed and you will be scheduled for an interview with the Select Board
- Following the interview the Board will vote on your potential appointment at the next regular meeting
- If appointed, you will receive a letter from the Town Manager and will be required to complete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

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

Signature: [Handwritten Signature] Date: 7/16/2020

To be completed by Select Board upon appointment:

Date Appointed: _____ Term Ending: _____ Full: _____ Alternate: _____



Pam McElroy <pmcelroy@exeternh.gov>

Exeter Police Stakeholders Committee

1 message

Pam McElroy <pmcelroy@exeternh.gov>

Fri, Aug 21, 2020 at 1:56 PM

To: Russ Dean <rdean@exeternh.gov>

Updated EPSC application list (including date applied) as of 8/21/20:

Kathy Corson 7/16
Timothy Kerber 7/16
Elliott Berkowitz 7/16
David Allen 7/17
Timothy Graham 7/17
Matthew Carbone 7/21
Anne Surman 7/23
Katie Adams 7/24
Andrew Rocco 7/29
Tanisha Johnson 8/6
Lionel Ingram 8/12
Ken Mendis 8/20

Pam McElroy

Town of Exeter

Executive Assistant, Town Manager's Office

603-773-6102

Human Services Administrator

603-773-6116

State Primary Election Updates

STATE OF NEW HAMPSHIRE

MEMORANDUM

TO: New Hampshire Election Officials

FROM: Gordon J. MacDonald, Attorney General

RE: Election Operations during the COVID-19 Public Health Crisis

DATE: August 20, 2020

***Note: This guidance is based on health guidelines and Emergency Orders issued as of the date of this memorandum and is subject to updates as necessary.**

Yesterday, Secretary Gardner and I issued guidance regarding Election Day Operations in light of the ongoing public health emergency. The purpose of this document is to provide further, more detailed guidance on some of the concepts raised in yesterday's Memorandum.

If you have specific questions, please direct them to Assistant Attorney General Nicholas Chong Yen, who leads the Election Law Unit. Attorney Chong Yen may be reached at (603) 271-3650.

Again, thank you for your continued efforts to serve the voters of New Hampshire amidst the unprecedented challenges posed by the novel coronavirus (COVID-19) public health emergency.

Q1: Can local officials require voters appearing in-person at a polling location, to wear face coverings/masks to enter the polling place room used by voters wearing face coverings/masks?

A: Yes. Moderators have broad authority to manage the polling location. The right to vote, however, cannot be denied to an otherwise eligible voter who is unable or unwilling to wear a face covering/mask. Moderators who implement face covering/mask requirements, therefore, must provide registration and voting alternatives to voters who either are unable or unwilling to wear face coverings/masks inside the polling location.

As discussed below, the Centers for Disease Control ("CDC") and the New Hampshire Division of Public Health ("DPH") recommend face coverings/masks as one component of the COVID-19 mitigation strategy, and emerging evidence suggests that

face coverings/masks can significantly reduce transmission of the virus in some situations. For many moderators, requiring face coverings/masks inside the polling place may be critical to Election Day operations, both for the comfort and safety of Election Day volunteers and for voters casting in-person ballots.

Some voters, however, will be unable or unwilling to wear face coverings/masks, due to physical or medical conditions or other personal reasons. Moderators may not deny the right to vote based on a voter's inability or unwillingness to wear a face covering/mask. To implement a requirement that everyone inside of a polling location wear a face covering/mask, moderators must establish alternative means of registration and voting for in-person voters who are unable or unwilling to wear face coverings/masks.

While there are no hard and fast guidelines, alternative means must allow the voter to register and vote efficiently, privately, and in a manner that best allows the realization of the full extent of that voter's right to vote. The alternatives cannot, through inefficiency or difficulty of use, make it harder for a non-face covered voter to register and vote. We encourage moderators to consult with town or city legal counsel on these issues, but we believe that, properly implemented, a mandate that everyone inside a polling location wear face coverings/masks can be accomplished without violating voting rights.

The following provides some examples of registration and voting alternatives moderators might employ in the event that they implement a face covering/mask mandate. This list is not intended to include all possible options.

1. Separate Entrance, Exit, Registration Area, and Voting Area

If, at all possible, moderators should establish separate entrances, exits, registration areas, and voting areas for those who are unable or unwilling to wear face coverings/masks. Moderators considering this option should contact their local Emergency Management Director to explore ways to implement it using the resources available at the polling place, while following public health guidelines. Generally, however:

- A separate entrance and exit may be utilized for those voters who are unable or unwilling to wear a face covering.
- A separate area inside the polling place, which can be set up with a guardrail, socially distant voting booths or screens, and supervised by election officials wearing Personal Protective Equipment, can be set up for such voters.

- Ballot clerks in this scenario may need to shuttle back and forth from the voter to the check-in table for purposes of verifying the voter and marking the checklist and to bring a ballot to the voter.
- A ballot box or ballot counting machine can be utilized in this separate voting area to collect completed ballots
- If a separate ballot box or machine is employed, completed ballots can later be transferred over to the primary voting area, provided that the transfer is announced at the polling place before it takes place and the process is made public.

With respect to voter registration in this separate area, officials should provide a supervisor of the checklist table pursuant to the same requirements governing the general registration area.

2. Outdoor Space

Moderators may also consider whether they can create an outdoor space for voting by erecting a tent or shelter of sufficient size to allow for the registration and voting of non-face covered voters. Any such arrangement must comply with the polling place requirements, such as having both a voting booth and screen available to the voter and a writing surface, and the requirements included in paragraph 1 above. The tent may contain a ballot box or ballot counting machine. If a ballot box is used, the ballot box must remain in full view of the public. This alternative must include a process through which voter check-in can occur, and the election official staffing the tent/shelter or serving the voter who needs to use the tent/shelter, must have constant control over the ballot box whenever it contains any marked ballots.

3. Accessible Voting on Election Day

Moderators must provide accessible voting options. *See* RSA 659:20-a. *See also* *New Hampshire Election Procedure Manual: 2020-2021*, Pgs. 8-9. For some voters, this may provide an alternative means to vote. All procedures and protocols governing accessible voting must be followed.

Q2: What should election officials do if a voter chooses not to absentee vote prior to Election Day, is unable or unwilling to wear a face covering/mask at the polling place, and rejects the alternative voting options offered at the polling place?

A: In light of the severity of COVID-19, if a voter is unable or unwilling to wear a face covering at the polling place and also rejects the alternatives offered for registration and voting, election officials may inform the voter that he/she cannot enter the polling place to vote.

We understand that in some instances, it may be difficult for individuals to wear face coverings/masks. As stated above, no otherwise eligible voter should be denied the right to vote if he or she is unwilling or unable to wear a face covering/mask. For that reason, we have indicated that moderators provide appropriate, alternative means to vote.

If a voter declines to avail himself or herself themselves of an appropriate, alternative means to vote, we strongly encourage moderators to do all they can to engage constructively with these voters to encourage them to either wear a face covering/mask while in the polling place or vote by the alternative means. If all reasonable means to persuade the voter are exhausted, we believe that current law would likely support a moderator's decision to inform the voter that he or she cannot enter the polling place.

Moderators have broad discretion with respect to the conduct of elections. A moderator's decision to impose a face covering/mask requirement is clearly a lawful exercise of that discretion, directed at advancing the compelling interest to protect the health of election workers and other voters, provided that an alternative is available tailored to the interests of those who are unable or unwilling to wear a face covering/mask. The alternative must facilitate an individual's right to vote. We know of no legal authority that would require a moderator to waive a face covering/mask requirement if a voter declines to use an alternative.

We encourage moderators to consult with their legal counsel on this issue. As stated above, we are available to respond to questions up to and including on Election Day.

STATE OF NEW HAMPSHIRE

MEMORANDUM

TO: New Hampshire Election Officials

FROM: William M. Gardner, Secretary of State
Gordon J. MacDonald, Attorney General

RE: Election Operations during the Public Health Crisis

DATE: August 19, 2020

***Note: This guidance is based on health guidelines and Emergency Orders issued as of the date of this memorandum and is subject to updates as necessary.**

Thank you for your service to the voters of our state. New Hampshire has a rich tradition of well-run elections and the robust exercise of the right to vote. Much of that is due to the strength and effort of our election officials. The novel coronavirus public health emergency continues to present unprecedented challenges. Many of these challenges will present themselves during the upcoming September Primary and November General Elections.

In the continuing the tradition of New Hampshire's well-run elections, we will rely on the skill of our election officials in solving the problems the coronavirus poses in the election context, and imbuing voters with confidence and assurance that they can efficiently, effectively and safely cast their ballots during this pandemic. We are confident that the upcoming elections will be as successful as ever, again, due to your efforts and skill.

Q1: Can towns and cities adopt the "drive-up" voting procedures that were used during the 2020 municipal and school meetings for the 2020 September Primary and November General Elections?

A: No.

During the 2020 municipal and school meetings, New Hampshire Laws of 2020, Chapter 8 allowed towns, village districts, and school districts to conduct their municipal meetings using a "drive-up" voting process. However, an entirely different set of statutes and procedures governs Primary and General Elections. Those statutes and procedures preclude using this process in the upcoming Primary and General Elections. Thus, local

election officials cannot use “drive-up” voting procedures for the Primary and General Elections.

Q2: Can election officials designate locations at the town or city clerk’s office and/or at the polling place where completed absentee ballots can be delivered?

A: Yes, subject to the guidelines below.

a. Prior to Election Day

Some election officials have asked whether they can designate, at the town or city clerk’s office, a location to which absentee ballots can be delivered. The law provides that a completed absentee ballot may be returned to the town or city clerk by: (a) the absentee voter or his/her delivery agent (defined below) personally delivering the completed absentee ballot package; or (b) the absentee voter or his/her delivery agent mailing the completed absentee ballot package to the town or city clerk. RSA 657:17, I.

These statutes allow for election officials to provide a “dropbox” at the town or city clerk’s office before Election Day. If officials choose to use a “dropbox” at the town or city clerk’s office, it must be staffed by a properly trained election official throughout the course of its use.

For absentee ballots delivered by a delivery agent, the delivery agent shall show identification and sign a “Return of Ballot” form.

b. On Election Day

For the 2020 Primary and General Elections only, voters can appear at the polling place and deliver their own completed absentee ballots in the same manner they would deliver an absentee ballot to the clerk prior to Election Day.

Election officials can utilize a “dropbox” at the polling place on Election Day. The following procedures must be followed:

1. The “dropbox” must be staffed by a properly trained election official throughout the course of its use on Election Day.
2. The delivery agent must show identification to the election official at the “dropbox” and complete a “Return of Ballot” form. RSA 657:17, III; RSA 657:17-a.
3. The 5:00 PM cutoff on Election Day must be observed and procedures for marking and retention of ballots after that time must be followed.

Voters who deliver absentee ballots after 5:00 PM on Election Day shall be told that their absentee ballots cannot be accepted, in accordance with RSA 657:22, but they can still vote by entering the polling place.

Election officials should make clear to voters who is authorized to deliver a completed absentee ballot package. The relevant statutory provisions identifying these select parties appear below.

RSA 657:17, II –

As used in this section, "delivery agent" means:

- (a) The voter's spouse, parent, sibling, child, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepparent, stepchild; or
- (b) If the voter is a resident of a nursing home as defined in RSA 151-A:1, IV, the nursing home administrator, licensed pursuant to RSA 151-A:2, or a nursing home staff member designated in writing by the administrator to deliver ballots;
or
- (c) If the voter is a resident of a residential care facility licensed pursuant to RSA 151:2, I(e) and described in RSA 151:9, VII(a)(1) and (2), the residential care facility administrator, or a residential care facility staff member designated in writing by the administrator to deliver ballots;
or
- (d) A person assisting a blind voter or a voter with a disability who has signed a statement on the affidavit envelope acknowledging the assistance.

Q3: If towns and cities have multiple polling places, can they consolidate those into one, larger polling place?

A: Consolidation of polling places is governed by statute. Municipalities may only consolidate polling locations consistent with governing statutes. If consolidation is precluded by statute, we will offer assistance in locating resources and exploring options to address challenges posed by the public health crisis.

The law applicable to the consolidation of polling places in towns and cities is summarized below. We also set forth additional considerations with respect to consolidating polling places. Election officials should consult with their legal counsel with respect to the applicability of these laws.

Applicable Law

1. **Towns:** Towns may add additional polling places or discontinue established polling places through a vote by the town. The following statutes apply:

RSA 658:10 states that “[i]f any town shall so vote, the selectmen shall provide one or more additional polling places in such town and shall, at least 30 days before the next following general election, determine the boundaries of the voting district to be served by each such additional polling place.” This statute requires a vote by the Legislative Body, which in most circumstances, would require a Town Meeting.

RSA 658:17 states that “[a] voting district and polling place so established shall continue to be such for successive state elections until the town shall vote to discontinue the same, but the selectmen may from time to time increase or diminish the boundaries thereof in order to effectively accommodate the voters.”

2. **Cities:** Cities are similarly authorized to adopt an additional polling place within a ward, as outlined under RSA 658:10 through 658:17.

An additional polling place in a city would, in effect, split a ward into two voting districts. This means that an additional polling place is limited to being within the boundaries of the ward it will serve.

Under RSA 44:4, each ward “shall be a town for the purpose of the election of governor, councilor, state senator, representative to the general court, all county officers, senator and representative in congress, and electors of president and vice-president of the United States, and in all matters relating to jurors.”

Part I, Article 11 of the New Hampshire Constitution further outlines that “[e]very person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he has his domicile.”

These provisions taken together require every city ward to have a polling place to allow a qualified voter to exercise the constitutional right to vote in the ward in which he/she is domiciled. Absent a charter amendment to eliminate wards within a given city, there is no authority to consolidate polling places under the law or New Hampshire Constitution.

Q4: What discretion do moderators have to not require or require voters to wear a face covering/mask inside the polling place?

A: Moderators have broad authority to regulate the conduct of polling within their jurisdictions. That includes the authority to choose whether to not require or to require a face covering/mask at their respective polling places. Moderators who choose to implement face covering/mask requirements, therefore, must provide

registration and voting alternatives to voters who either cannot or will not wear face coverings/masks inside the polling location.

Background

Recognizing there are divergent views among moderators on the extent to which masks should be required in the polling place, the Secretary of State, Attorney General and their staff invited two moderators representing different sides of the spectrum for a conversation on the topic. The result was a very thoughtful discussion in an attempt to find common ground on how best to keep voters and poll workers safe in the polling place. Not surprisingly, both moderators wanted to make sure the act of voting was safe and efficient. Both acknowledged that all polling places are different, and decisions made by the moderator are dependent on factors and influences that are unique to their location.

Specifically, they both believed that Center for Disease Control (CDC) and other authoritative professional health guidance should be used in making determinations about whether or not masks should be required in the polling place. If a polling place is large enough to meet CDC social distancing guidelines a moderator may decide not to require masks. However if a polling place is cramped and a moderator believes proper social spacing cannot be sustained a mask requirement would be appropriate. The bottom line is that both moderators believed that the discretion should be left to the moderator to make the call based on the circumstances unique to their polling place.

Both moderators also believed that if a mask requirement is imposed, voters who will not wear a mask for whatever reason must be afforded an opportunity to cast their votes in a reasonable alternative way protecting all voters rights to safely cast a ballot in the September 8th Primary Election and November 3rd General Election. The guidance being issued by the Attorney General and Secretary of State memorializes major components of this discussion.

Guidance

As discussed below, the Centers for Disease Control (“CDC”) and the New Hampshire Division of Public Health (“DPH”) recommend face coverings/masks as one component of the COVID-19 mitigation strategy. It has been further recommended by federal and state health officials that people wear masks in public settings, especially when other social distancing measures are difficult to maintain.

For many moderators, requiring face coverings/masks inside the polling place may be critical to Election Day operations, both for the comfort and safety of Election Day volunteers and other voters casting in-person ballots. For others, some polling places may allow for social distancing and other protective measure, and moderators may choose not to require a face covering/mask.

The moderator has broad authority to manage the polling location. This includes choosing to not require or to require a face covering/mask in order to enter the polling place.

Each polling place is different and unique. The ability to appropriately social distance at one polling place may be easier than at another. In deciding whether to impose a face covering/mask requirement, moderators should consider any factors they view as relevant and important to their consideration. Factors might include, but are not limited to:

- Size of polling place;
- Number of other rooms or spaces offered by the polling place;
- Other physical characteristics of the polling place;
- Volume of voters expected to vote in-person;
- Particular risk factors either of the voting population or the election officials.

Again, these factors are not exclusive. Moderators should use their best judgment to determine whether and to what extent to encourage or mandate face coverings/masks.

Moderators who implement a face covering/mask requirement may encounter some voters who will refuse to wear face coverings/masks due to physical or medical conditions or other personal reasons. Every qualified voter, however, must be given an opportunity to cast a ballot. To properly implement a face covering/mask requirement, therefore, moderators must establish alternative means of registration and voting for in-person voters who refuse to wear face coverings/masks. While there are no hard and fast guidelines, alternative means must allow the voter to register and vote efficiently, privately, and in a manner that best allows the realization of the full extent of that voter's right to vote. The alternatives cannot, through inefficiency or difficulty of use, make it harder for a non-face covered/masked voter to register and vote.

We encourage moderators to consult with town or city legal counsel on these issues

Q5: Can election officials require voters to show their faces during the voter check-in and Challenged Voter Affidavit processes?

A: Yes.

During the check-in process, many election officials have asked how a ballot clerk can check-in a voter and confirm that the person in front of the ballot clerk matches the photo identification if the individual is wearing a face covering/mask.

We conclude it is possible to administer the normal check-in process – or the Challenged Voter Affidavit process as applicable – while following public health guidelines.

In many cases, a voter will be identifiable even when he or she is wearing a face covering/mask. For example, the election official can still determine the voter's eye color, hair color, and head shape. An official at the polling place may also know the voter checking-in. See RSA 659:13, II(b).

Consistent with public health advisories, if an election official requests that a voter show his or her face for verification, hand sanitizer must be used by the voter prior to and after showing the voter's face. No voter's face should be revealed for an extended period of time.

We encourage the use of the sneeze guards, which have been purchased and distributed by the Secretary of State's Office, for the voter check-in tables. During the check-in process, the voter should remain on one side of the sneeze guard with the election official on the other.

Additionally, during the Challenged Voter Affidavit process, the Secretary of State's Elections Division has reported that a photograph can be taken through the sneeze guard with the voter's face showing. Hand sanitizer must be used by the voter prior to and after showing the voter's face. No voter's face should be revealed for an extended period of time. As such, we similarly encourage the use of the sneeze guards during the Challenged Voter Affidavit process.

Q6: Can election officials use two rooms inside the same polling location as voting areas?

A: Yes, provided both voting areas fully comply with all polling place requirements.

Some officials have asked about using two rooms inside the same polling place as voting areas to facilitate social distancing or employ a system as outlined under FAQ4. There is no prohibition in doing so. However, it is important for officials to be mindful that all rooms used for voting purposes comply with polling place requirements. They should be adjoining rooms if at all possible. Those requirements are as follows:

1. Each voting room must have a moderator (assistant/deputy) present overseeing the voting. One official overseeing multiple rooms will not suffice.
2. Officials are encouraged to have a deputy or assistant clerk who can be in the second room on an ongoing basis if needed.
3. Each room must have an area where the public can observe. It need not be large, but the general public cannot be barred from the room. This likely

means that some form of guardrail inside each room (i.e. rope, tape, etc.) may need to be used as opposed to using the room walls as the complete guardrail.

4. The political parties must be given notice of the additional voting area and the parties should be asked to notify campaigns. If a party wants a “challenger” present to observe both voting rooms, it may consider sending more than one challenger.
5. The aggregation of votes from the two rooms at the end of the day must be transparent and managed in a way that keeps marked ballots secure and the public present at the polling place well informed about what is going on and how the votes cast in the separate rooms will be aggregated. The additional polling place laws only apply to using more than one building as a polling place. However, the procedural alternatives set out in those statutes may be the best guide to how to use two rooms inside the same polling place. Following one of the procedures in those statutes would make the process more easily defensible.

Q7: Can election officials be required to wear Personal Protective Equipment (PPE)?

A: Under New Hampshire’s Constitution, the moderator has the authority and responsibility to govern elections. The use of face coverings/masks by election officials is in accordance with guidance by public health officials, including the Centers for Disease Control. A moderator’s requirement that election officials wear face coverings/masks or other personal protective equipment is, in our opinion, within his or her constitutional authority. Moderators should first consult with their town or city legal counsel.

Part II, Article 32 of the New Hampshire Constitution states that the moderator has the authority and responsibility to govern elections. We believe that this grant of authority would extend to a requirement that local election officials wear face coverings/masks or other personal protective equipment. Under the same constitutional provision, all of the selectmen (or their designees appointed under RSA 658:21-a) are required to be present at the polling place on Election Day. Because the selectmen must be present, they cannot be required to wear face coverings/masks while in the polling place if they are unwilling to do so. However, it is within the moderator’s authority to require that they remain in a designated area more than 6 feet away from other election officials and voters.

There are implications for such decisions and we encourage moderators to consult with their legal counsel. In making the decision, local officials should consider that some voters may feel uncomfortable voting in an environment where election officials are not wearing face coverings/masks. In addition, it may be hard to attract sufficient volunteers to staff local election locations unless a face covering/mask requirement is in place.

There is a risk of legal challenge involving a moderator's decision on this important issue.

Q8: Can a single absentee ballot request form be used to obtain an absentee ballot for both the 2020 September Primary and 2020 November General Elections?

A: Yes, pursuant to HB 1266.

Under *HB1266*, RSA 657:4 has been suspended through December 31, 2020. Instead, the bill has authorized the Secretary of State to create a new application form for absentee ballots that permits voters to use one (1) request form to request absentee ballots for both the 2020 September Primary and 2020 November General Elections.

The new application form for absentee ballots is available on the Secretary of State's website and can be found using the following link:

<https://sos.nh.gov/VotingEmergency.aspx>

If the voter asks for ballots for both the primary and the general election, the clerk must make a copy of the application. Use the copy to attach to the returned envelope with the completed absentee ballot for the Primary and the original application to attach to the returned envelope with the absentee ballot for the General Election.

If a voter has already submitted an absentee ballot request application, and it is the version that existed before HB1266, officials may still accept the application and fulfill the absentee ballot request consistent with routine practice.

Q9: Can the moderator utilize *pro tem* election officers inside the guardrail who are not domiciled in the polling location's town or ward?

A: No. A *pro tem* appointed poll worker can be used only for those roles that are outside the guardrail.

RSA 659:21 states that "[n]o person other than the election officers, the voters admitted or those admitted to aid a voter pursuant to RSA 659:20 shall be permitted within the guardrail except by the authority of the election officers and, then, only for the purpose of keeping order and enforcing the law."

"'Election officer' shall mean any moderator, deputy moderator, assistant moderator, town clerk, deputy town clerk, city clerk, deputy city clerk, ward clerk, selectman, supervisor of the checklist, registrar, or deputy registrar." RSA 652:12.

"Any elected or appointed official for whom one of the qualifications for his or her position is eligibility to be a voter in the area represented or served shall be

considered to have resigned if the official moves his or her domicile so that he or she can no longer qualify to be a voter in the area represented or served.” RSA 654:1, II.

Read together, these statutes require that an election officer who works inside the guardrail be domiciled in the town or city ward where the polling place is located.

As such, we conclude that moderators may utilize *pro tem* appointed poll workers (not election officers) who are not domiciled in the town or city ward of the polling place, provided those *pro tem* poll workers are only permitted to work outside the guardrail. (i.e. Ballot Clerk check-in table, Assistants to the Supervisors of the Checklist table, Greeter, etc.). Just as the position of greeter is not explicitly provided for in statute, a *pro tem* poll worker will be appointed by the moderator, supervisors, or clerk, take an oath, but will not be an election officer.

A *pro tem* poll worker assisting with voter registration can help the voter complete the voter registration form, help organize the applicant’s proof documents or, if needed, help the applicant complete a domicile and/or qualified voter affidavit, but may not make the final decision to approve the applicant. The completed application form and proof of qualifications must be reviewed and approved by an elected supervisor or a supervisor *pro tem* who is domiciled in the town or ward.

This means that those election officials counting the ballots must be voters in the town or ward.

Additionally, election officers are, by definition, locally elected officials who must be voters in the town or ward. Appointed *pro tem* election officials are also required to be voters in the town or ward.

We also understand many officials are having a difficult time filling ballot clerk positions due to the challenges caused by the public health crisis in finding volunteers.

RSA 658:25 states in relevant part, that “[t]wo of the inspectors, one from each of the 2 political parties, shall be designated by the moderator at the opening of the polls to act as ballot clerks.” We do not construe this to prohibit the Moderator from designating officials other than inspectors of elections as ballot clerks.

In present circumstances, however, when necessary a town or city may use individuals, for example non-resident municipal employees, to be appointed and sworn in as *pro tem* poll workers to assist at the election provided the non-residents are assigned only to tasks outside the guardrail.



STATE OF NEW HAMPSHIRE

Application for State Election Absentee Ballot-RSA 657:4

Absence (Excluding Absence Due to Residence Outside the United States), Religious Observance, Concern for the Novel Coronavirus (COVID-19), and Disability

2020 COVID-19 Application

For Official Use Only
Voter Not registered

Voter ID #

Date Returned: / /

Date Mailed: / /

Date Requested: / /

Last Name: _____
First Name: _____

I. I hereby declare that (check one):

- I am a duly qualified voter who is currently registered to vote in this town/ward.
- I am absent from the town/city where I am domiciled and will be until after the next election, or I am unable to register in person due to a disability or concern for the novel coronavirus (COVID-19), and request that the forms necessary for absentee voter registration be sent to me with the absentee ballot.

II. I will be entitled to vote by absentee ballot because (check one):

- I plan to be absent on the day of the election from the city, town, or unincorporated place where I am domiciled.
- I cannot appear in public on election day because of observance of a religious commitment.
- I am unable to vote in person due to a disability.
- I am unable to vote in person due to concern for the novel coronavirus (COVID-19).
- I cannot appear at any time during polling hours at my polling place because of an employment obligation. For the purposes of this application, the term "employment" shall include the care of children and infirm adults, with or without compensation.

Any person who votes or attempts to vote using an absentee ballot who is not entitled to vote by absentee ballot shall be guilty of a misdemeanor. RSA 657:24

III. I am requesting an official absentee ballot for the following election(s):

- *State Primary Election to be held on September 8, 2020.
- State General Election to be held on November 3, 2020

***For primary elections, I am a member of or I am now declaring my affiliation with the (check one):**

- Republican Party
- Democratic Party

and am requesting a ballot for that party's primary.

Turn Over – You Must Complete Page 2



IV. Applicant's Name (Please Print):

Last Name First Name Middle Name (Jr., Sr., II,III)

Applicant's Voting Domicile (home address):

Street Number Street Name Apt/Unit City/Town Ward Zip Code

Mail the ballot to me at this address (if different than the home address)

Street or PO Box # Street name Apt/Unit City/Town State Zip Code

Applicant's Phone Number: (____) _____ - _____
(Cell phone or number where you can be contacted prior to and on election day is preferred)

Applicant's Email Address: _____@_____

Applicant's Signature: _____ Date Signed: _____

The applicant must sign this form to receive an absentee ballot. Any person who witnesses and assists a voter with a disability in executing this form shall print and sign his or her name in the space provided on the application form.

I attest that I assisted the applicant in executing this form because he or she has a disability.

Signature _____ Print Name _____

Mail/fax/ or hand deliver this completed form to your local City/Town Clerk.

For local clerk addresses and fax numbers: <https://app.sos.nh.gov/Public/ClerkDetails.aspx>

Visit the web site: <https://app.sos.nh.gov/Public/AbsenteeBallot.aspx> to track your absentee ballot. You may verify receipt of your application, obtain the date when your absentee ballot was mailed to you, the date the clerk receives your completed absentee ballot, and after the election learn if your absentee ballot was rejected/not counted and why. Contact your clerk if you have questions regarding the information on the "Voter Information Look-up / Absentee Ballot Search" site.

For Official Use Only:

Voter Verified

Minutes

**Select Board Meeting
Monday August 10, 2020
7 PM
Remotely via Zoom
Draft Minutes**

1. Call Meeting to Order

Members present: Julie Gilman, Molly Cowan, Lovey Roundtree Oliff, Niko Papakonstantis, and Russ Dean were present at this meeting. Daryl Browne was not present. The meeting was called to order by Mr. Papakonstantis at 7 PM.

Mr. Papakonstantis said that gatherings of 10 or more people currently pose a risk to our community. The Select Board meeting is imperative to maintaining the Town of Exeter public services, so per RSA 91-A:2(3)b, this meeting will be conducted without a quorum of this body being physically present in one location. He welcomed the members of the public attending remotely, and said the usual rules of conduct and decorum will apply. All votes will require a roll call vote.

2. Town Moderator re: State Primary Election Update

Paul Scafidi, the Town Moderator, gave an update on the election planning. Today he visited the SST Building with Rusty Lyster, the SAU Director of Facilities, and Mr. Lyster is in full agreement with their plan to move the public in and out. The building will not be open to students until October, so that will not be an issue during voting. According to the Secretary of State's legal counsel, the moderator has the authority to require everyone wear a mask to enter the building; however, those without masks still have to be allowed to vote, so the town must find a way to let them vote without entering the building. Voters without masks will be asked to go to the Linden Street entrance, where staff will check in the voter and get their ballot from the official keepers of the checklist. Curbside voting will also be in place. If a resident doesn't want to go into the building, they can drive up on Linden Street and be given an absentee ballot. Whereas before the State said no hand sanitizer, now they're saying people must sanitize their hands before they vote.

Ms. Gilman said there was a recommendation for long-term care facility residents to stay separate from other voters. Mr. Scafidi said he would like to do so, but they're going to have difficulty manning all these separate stations. Andie Kohler, the Town Clerk, said the residential homes she's spoken with are trying to get their residents to fill out absentee ballots. Those people should stay home. The Town Clerk's office has already received 1,000 requests for absentee ballots. Mr. Scafidi said using absentee ballots wherever possible will help the whole process.

Ms. Gilman asked whether the electioneering would be socially distanced. Mr. Scafidi said yes, everyone in line and behind the barriers must be socially distanced, and there will be marks on the ground to guide them.

Ms. Oliff asked if they would have volunteers Covid tested before the voting. Mr. Scafidi said no, they've been told they don't have to. Everyone will be wearing masks.

Chief Wilking said if volunteers are not feeling well, they should not show up to work. He offered to send people from the FD for a health screening on the volunteers at the start of the day.

Mr. Dean asked if they were looking for more election volunteers. Ms. Kohler said about half of her usual balloteers have agreed to work the polls. They'll have a better idea of how many workers they'll need as they get more absentee ballot requests.

3. Public Comment

a. There was no public comment at this meeting.

4. Proclamations/Recognitions

a. There were no proclamations/recognitions at this meeting.

5. Approval of Minutes - July 13, 2020 and July 27, 2020

MOTION: Ms. Cowan moved to table the minutes from July 13 and 27 until the next meeting. Ms. Gilman seconded. By a roll call vote, all were in favor, and the motion passed 4-0.

6. Appointments - Recreation Advisory Board, Sustainability Advisory Committee

MOTION: Ms. Cowan moved to table the appointments until the next meeting. Ms. Gilman seconded. By a roll call vote, all were in favor, and the motion passed 4-0.

7. Discussion/Action Items

a. Housing Advisory Committee: Exeter Multi-Story Unit Map

Nancy Belanger of the Housing Advisory Committee gave a presentation and showed a video that Dave Sharples, the Town Planner, had put together on the multi family story map. At the next HAC meeting, the committee will discuss how to further distribute this information to the public.

b. Greenhouse Gas Inventory Update - Rachel Nadolny, UNH Intern

Rachel Nadolny gave a presentation on her work on the Greenhouse Gas Inventory. Wastewater Treatment, Mobile Combustion, and Electricity are the biggest contributors by percentage. She recommends an emission reduction target of 30% reduction by 2030 and net zero by 2050.

c. New England Municipal Sustainability Network (NEMS) Letter of Intent

MOTION: Ms. Oliff moved to table the NEMS vote until the next meeting. Ms. Gilman seconded. By a roll call vote, all were in favor.

d. Quarterly Financial Report - Finance Director

Doreen Chester, the Town Finance Director, presented the financial report as of June 30th. She said there had been some concern about revenues in light of Covid-19, but tax revenues came in very strong at 97% collected. \$24.5 million was billed and \$23.8 million was collected by July 1. There was an overall revenue drop for all General Fund revenues, but not a severe one: it was \$43,300 less than last year, \$41,000 of which was in Motor Vehicle revenue. In Building and Permits, last year was unusually strong, and there was a decrease of \$152,000 this year. The Federal GOFER program, which provides Covid relief funds, was responsible for \$345,000 in revenue this quarter.

First Responder Stipends provided \$300 a week for eight weeks for all certified Police Officers and Firefighters. There was a Blue Bag revenue increase of \$24,000. There was \$7,000 in alarm revenue. There was a \$4,600 increase in police details.

General Fund expenses were at \$8.7M; 43% of the entire budget was spent. They slowed down the spending this year, typically they're at 50-52% spent. The Police Department was at \$1.68M spent, or 45% of their budget. There was a savings in Prosecution services; they're now using inside help, resulting in a \$63,000 decrease in wages. There was a retirement of the Fire Chief in the second quarter, and expenses went up due to an NHRS payment of \$13,000 for his sick leave buyout. Public Works was at \$2.25M, or 40% spent. There was an open position for a Water/Sewer Tech who left in January. The snow removal expenses were down significantly, \$122,000 less than the prior year. Maintenance expenses are down. There was extra cleaning related to Covid, but it was submitted for Federal reimbursement. Parks and Rec was at 47% spent, a net decrease of \$15,000. There were less contracted services in Parks. At the Library, there were some decreases. The part time employees weren't paid from April through July because of the shutdown.

Mr. Papakonstantis asked what expenses they expect from the upcoming elections. Ms. Chester said the budget for the elections is typical, the only unknown is the Covid expenses. She doesn't know about any additional funds coming from the State to cover them. Mr. Papakonstantis asked if Blue Bag revenue is offsetting the solid waste costs. Ms. Chester said it's not a full offset; they don't charge so much that people don't dispose of their garbage properly. Mr. Papakonstantis asked if, with the Library closed, there will be any savings from the renovation project finishing earlier than anticipated. Ms. Chester said there's actually been a delay in the Library project, since the contractors are waiting longer for materials. The project will not be finalized until May 2021 now.

Ms. Gilman asked whether the IT staff used at remote meetings could be covered by Covid funds. Ms. Chester said they've expended the GOFER funds; much of it was for first responders. She's not aware of further funds coming, but they're still tracking the hours related to Covid-19. Mr. Dean said FEMA is a possible reimbursement stream for that. They're looking at 75/25% reimbursement for election precautions, virtual meetings, etc. Chief Wilking said FEMA has approved their first application package, and they're now gathering invoices for a second package. They were attempting to gather all GOFER Fund claims as quickly as possible to move on to other projects, so they may have missed some departments. They'll gather every dollar they can. Mr. Dean said they budgeted \$30,000 for the 2020 elections, but the upcoming elections will certainly go beyond that.

In the Water Fund, there was a rate increase last October. They're \$1.78M or 47% collected at the end of the 2nd quarter. There was an increase of \$66,000 in Water Consumption charges, for a total of \$1.43M. There was also a service rate charge increase. Water Fund receivables were at \$476,000, with current billing outstanding at \$457,000. Water and Sewer Departments will resume shut offs this quarter, which will bring the outstanding numbers down. Mr. Dean said he talked to the Deputy Tax

Collector, who indicated that the list of shut offs was consistent with prior quarters, so there was not a big surge in new customer shut offs.

Water Fund expenditures were at \$1.46M, or 41% spent. In Water Administration, there was an increase due to Wages, Taxes and Benefits budgeted, offset by a Water Sewer Technician position which has been vacant since January. This position is split 50/50 with Sewer. Water Billing Expenses was at 44% spent or \$78,000, a decrease of \$9,000. There was \$6,700 less in benefits due to changes in health plans. There was a decrease in overtime wages. Water Distribution was at \$316,000, or 38% spent. There was a YOY decrease of \$61,000, some of that due to timing of water tank maintenance. Debt Service was at \$453,000, increased due to the Surface Water Treatment Plant and utilities. Water income was at \$307,000, a decrease of \$156,000, but this should even out due to increased rates.

The Sewer Fund was at 39% collected. There were revenue increases due to rate increases. Usage charges were up \$1.2M over the prior year. They paid debt Service for the Sewer Treatment plant. New septage fees were established in July, and this is a new line item. In Sewer Fund Expenses, they were 17% spent at \$1.32M; the budget went up significantly in anticipation of the payment in December. There is a \$1.4M budget for the Wastewater Treatment plant, due to additional technicians, more electricity, more chemicals, and other costs of supporting a bigger operation. The Sewer Fund Debt Service will see a \$4.3M payment in December. There was a \$900,000 increase in net income in the Sewer Fund.

In CATV, there was a net deficit, mostly due to the Comcast Payments being out of sync with the town calendar. Part time wages were down, since there were not as many events to film. There's a \$47,600 deficit, which is expected to turn around by the end of the year. The Recreation Revolving Fund is not doing well due to the pandemic; they cancelled spring sports and summer programming. \$23,000 came in from the CareKids program.

EMS was flat YOY. The run volume is now starting to pick up, but calls for service were down in the first two quarters. They received a grant for ambulance services from the Federal CARES Act, which will provide \$25,600 reimbursement for uninsured patients taken in for Covid services.

e. Animal Control Ordinance Amendment - Gilman Park

MOTION: Ms. Oliff moved to table this amendment reading until the next meeting. Ms. Gilman seconded. By a roll call vote, all were in favor, and the motion passed 4-0.

f. Mask Ordinance Discussion

Mr. Papakonstantis said there's a provision under NH RSA 147 to allow the requirement of wearing masks in town. The CDC and the World Health Organization are saying in order to stay safe from the virus people should wear masks, with some exemptions. The Board received a lot of emails from town residents supporting a mask ordinance. The Board could charge Mr. Dean and James Murray, the Public Health Officer, with crafting a draft mask ordinance, which would come back to the Board at the next meeting for a public hearing, at

which time the Board could vote on it. At least three members of the Board would sign, and it would be processed by the Town Clerk.

Ms. Oliff said she's in favor of masks being worn indoors and in outdoor settings involving close proximity. Ms. Gilman said she would also like to move forward with a mask ordinance. With pandemic numbers rising in NH, it's wise to go beyond a "strong recommendation." She would like to include outdoor spaces as well. Mr. Papakonstantis said with the lack of Federal and State leadership, they should take initiative as a local board. They should focus on the enforcement question, as they don't want vigilantes to enforce it. Ms. Cowan said she would also be in support of a mask ordinance. She's interested in getting kids back to school as quickly and safely as they can. She also wants to make sure that workers in local businesses are not the ones having to enforce mask wearing. The Board needs to take responsibility and ensure all residents are safe. They could have narrowly defined exemptions. PEA is coming back in person, with people from all over the country, so it's important to protect people.

Mr. Papakonstantis asked for public comment.

Anne Surman of 14 Cullen Way said she would like to see this ordinance pass before voting day. Mr. Scafidi had concerns about staffing the elections, and if people knew everyone would wear a mask they may get more volunteers.

Heidi Heath of 10 Chestnut Street said she believes this is not an optional choice, given PEA's decision to bring students back.

Michael Palma of 44 McKay Drive asked if they have an endpoint or objective to this proposed ordinance. He's a medical doctor and hasn't seen any data that proves that wearing masks prevents viral transmission. Mr. Papakonstantis said the Board would listen to the CDC and other medical experts. He doesn't think they could put a finite date on this.

Hilary Justice said that this ordinance would resolve the ambiguity around wearing masks. She suggested the Board put in a periodic review every three or six months.

Sheri Gushta of 24 Woodridge Lane said a mask ordinance is important given the PEA students coming back. There are too many people walking downtown without masks.

Mark Whitney of Exeter Hospital said this ordinance would help us protect the community, both from a public health and an economic perspective. This will help to maintain the reopening of businesses. Masking is a big reason that the hospital has been able to keep its staff and patients safe.

Mr. Papakonstantis closed the discussion to the public.

Darren Winham said he spoke with other communities on this issue, and they said the businesses are asking the towns to pass this kind of ordinance. He's also heard this from Exeter businesses. They felt that customers would feel safer and come out more.

Ms. Oliff said she's in favor of masks in any indoor location, but they should specify what they mean by outdoors. In neighborhoods and more rural areas, it's easier to stay apart. She's reluctant to put the enforcement with the

Police Department. Ms. Gilman said they could define it as the Downtown area and Lincoln Street where there is dense retail, plus Portsmouth Street.

Mr. Dean said the NH statute is written so that the original proposal comes from the Health Officer, and the Board discusses it and makes the determination.

James Murray, the Health Officer, said he's reviewed other community ordinances. Hanover has an end date of the 61st day to readdress the issue. Nashua has an end date of when the Covid-19 Emergency Order #4 is rescinded by the state. He would like to hear an age recommendation from the Board; the CDC recommends no one under the age of 2 wear a mask. Mr. Papakonstantis said Mr. Murray should also consider exemptions for pre-existing health conditions covered under the ADA. Ms. Oliff said they should look at what the SAU would have done, as well as what other countries are doing.

MOTION: Ms. Cowan moved that the Health Officer should draft a mask ordinance for the Select Board to review at the Aug 24 Select Board meeting that would also serve as a public hearing pursuant to RSA 147:1. Ms. Gilman seconded. By a roll call vote, all were in favor, and the motion passed 4-0.

g. COVID 19 Updates

- i. Chief Wilking said he wanted to emphasize the importance of a mask ordinance. Over the last month they're tracking a slight uptick in NH cases; they've gone from 25/day to 28/day over the past month. Exeter had 5 residents in the last two weeks test positive, more than before. The PPE supply is still strong. Mr. Murray was able to acquire more for the election.
- ii. Darren Winham said the Gateway at Exeter project is moving ahead; this would be 234 apartments, 25% of which is workforce housing, plus commercial space. He's working with four other small projects which are using the MUND zoning change. Local businesses are hoping for another stimulus package on the Federal level. On the State level, the Main Street Relief Fund and its appeal period are complete, and the Self-employed Fund is complete. The NH Gap fund will be paid out or denied by Aug 18, when the appeal period begins.
- iii. Greg Bisson said CareKids is going very well. They've extended the program for another week at a significant discount, and a number of kids have signed up. Different organizations are looking to see if they should run youth sports this fall. With schools going remote, sports would be a good chance for socialization. Everyone would wear masks until they get on the field to play, and they would limit attendance numbers. All kids would come from within SAU16, and they will try to pair the kids by community for less exposure. They would hire a field supervisor to monitor the games and sanitize equipment.

MOTION: Ms. Oliff moved to approve the modified fall sports program for Parks and Rec to begin on September 21st. Ms. Gilman seconded. By a roll call vote, all were in favor.

8. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

i. There were no abatements or exemptions at this meeting.

b. Permits & Approvals

Mr. Bisson gave an update on the TEAM Arts Festival planned at Swasey Park. There were originally 20 vendors, but some have dropped out. He's waiting to hear final numbers. Mr. Papakonstantis said the anticipated number of guests is 500 over 7 hours; that could be 50 or 500 or more at a time. The guideline needs to be a six foot distance between people. Can they calculate the maximum occupancy of the Parkway? Mr. Murray said per state guidelines, any outdoor event should not be limited as to capacity. As long as there are enough volunteers to monitor social distancing, that should be adequate. He calculates that the festival would need at least seven volunteers in various areas. If they were going to do health screenings, it would be more like 10 volunteers.

Ms. Oliff said the Board needs to be consistent in their messaging and what they do going forward. If they don't want to have events taking place, that has to be across the board. She's heard that there are problems with social distancing at the Farmer's Market. Ms. Cowan said their number one priority should be to get kids back in school. If the consistent messaging is that they won't have events, then they shouldn't have the Farmer's Market as well. Ms. Gilman said they approved this event in July. She added that maintaining social distancing at the Farmer's Market was part of that event's approval. Mr. Dean said they would look at the Farmer's Market this week and see what's going on.

Mr. Papakonstantis said he's enjoyed the TEAM Arts Festival in the past but is concerned about the numbers. He read the previous motion voted on by the Board, and asked if all protocols have been met as stipulated. Mr. Bisson said yes, they've met all the guidelines. Mr. Murray agreed.

Anne Surman of 14 Cullen Way said it's a fluid situation. They shouldn't feel badly as Board if they change their vote because things have changed. The town can take more conservative measures than the state guidelines.

Rev. Heidi Heath said she's opposed to this event. They're supporters of the arts community and appreciate TEAM contributions, but the public health of the community is more important. People aren't having weddings and funerals because it's not safe but they can have this event?

Mr. Papakonstantis closed the discussion to the public.

Ms. Cowan said this event is now planned for August 22nd, which is just two weeks before school is scheduled to begin. It doesn't look like students are returning in person until October, and the administration is working to make it as safe as possible. School staff have had threats of violence. Voting must be safe as possible and absentee ballots should be used if possible. All other festivals have been cancelled for public health reasons. They don't know how many

people will show up to the TEAM Festival, and don't have a mandate to require masks in time. It's a public park, and attendance can't be limited. The number of volunteers will likely not be sufficient. She's not willing to risk community spread and the return to in-person school.

MOTION: Ms. Cowan moved to deny the permit. Ms. Gilman seconded. Ms. Oliff asked why they have voted yes at every step. Ms. Gilman said they didn't have the same information then. This would be a great event, but things have changed since they approved it. Mr. Papakonstantis said this event was initially permitted before Covid-19. Across the country and the world, they've seen that large events mean a surge. All other local events have been cancelled. If kids can't go to school and the elderly can't leave their house, it would be irresponsible to permit this, especially two weeks before school start. Ms. Gilman said other festivals are known to have a larger attendance, since people are eager to get out of the house. Mr. Papakonstantis said they don't know what attendance will be, they can't base it on years past. Ms. Oliff voted nay, while Ms. Cowan, Ms. Gilman, and Mr. Papakonstantis voted yes. The motion passed 3-1 and the permit was denied.

Mr. Bisson said EYSA (Youth Soccer) has proposed running a fall season. They ran different protocols by Mr. Bisson and Mr. Murray, and they both recommend the plan.

Marc Chabot of EYSA said they would stay in an intramural format rather than travel. It makes more sense to stay local. They would not only be using Exeter fields, also Brentwood, Stratham, and CMS. They would restrict practice by age group. They will do temperature checks and ask Covid screening questions.

Jason Faria of EYSA, a resident of 16 High Street, described the screening protocol they will follow.

Mr. Murray said he was satisfied with the proposal.

MOTION: Ms. Oliff moved to allow Exeter Youth Soccer Association the request to use the Exeter Rec fields this fall under the proposal submitted 8/10/2020. Ms. Gilman seconded. By a roll call vote, all were in favor and the motion passed 4-0.

Mr. Bisson said that Exeter Youth Softball has proposed an end of year Jamboree with four other teams, with a total of 150-200 people. They would observe social distancing and wear masks. Mr. Murray said his concerns were the number of volunteers, but after talking with the organizers it seems adequate. Ms. Oliff said to be consistent she can't see how this is different from the TEAM festival. Ms. Cowan said this event is inviting community spread. Mr. Papakonstantis said the group could find private property to hold this on. This doesn't seem controlled.

MOTION: Ms. Cowan moved to deny the permit for a softball jamboree tournament of August 29th. Ms. Gilman seconded. By a roll call vote, all were in favor and the motion passed 4-0.

MOTION: Ms. Oliff moved to table the planned discussion about the tennis and basketball courts to the next meeting. Ms. Gilman seconded. By a roll call vote, all were in favor and the motion passed 4-0.

- c. Town Manager's Report
 - i. Mr. Dean said the Budget Recommendations Committee meets Wednesday for their first meeting.
 - d. Select Board Committee Reports
 - i. Ms. Oliff said the Swasey Trustees would like to maintain the closure to vehicles of Swasey Parkway.
 - ii. Ms. Cowan had no meetings.
 - iii. Ms. Gilman attended the Heritage Commission. One member was going to reach out to Renay Allen about another location for her proposed memorial which is closer to Park Street. At the HDC meeting, they approved the temporary removal of the marquee from the Ioka Building during the restoration.
 - iv. Mr. Papakonstantis said the Sustainability Advisory Meeting was cancelled due to no quorum.
 - e. Correspondence
 - i. A memo from Public Works Director Jennifer Perry recommending the water restrictions stay in place.
 - ii. Mask ordinance correspondence
 - iii. A notice of the HDC decision about the Ioka Marquee
 - iv. A FEMA Rockingham County Coastal Flood Map Update
 - v. A memo from the Dept of Transportation regarding Highway Block Grant Aid, \$297,933.26 to be paid in four installments for FY 20-21
 - vi. A letter from the President of the Regional Development Center
9. Review Board Calendar
- a. The next meetings are Aug 24 and 31.
10. Non-Public Session
- a. There was no non-public session at this meeting.
11. Adjournment

MOTION: Ms. Gilman moved to adjourn. Ms. Oliff seconded. By a roll call vote, all were in favor and the meeting adjourned at 11 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary

Select Board Meeting
Monday, July 27, 2020
6:40 PM
Remotely via Zoom
Draft Minutes

1. Call Meeting to Order

Members present: Molly Cowan, Lovey Roundtree Oliff, Daryl Browne, Niko Papakonstantis, and Russ Dean were present at this meeting. Julie Gilman was not present. The meeting was called to order by Mr. Papakonstantis at 6:40 PM.

Mr. Papakonstantis said that gatherings of 10 or more people currently pose a risk to our community. The Select Board meeting is imperative to maintaining the Town of Exeter public services, so per RSA 91-A:2(3)b, this meeting will be conducted without a quorum of this body being physically present in one location. He welcomed the members of the public attending remotely, and said the usual rules of conduct and decorum will apply. All votes will require a roll call vote.

2. Board Interviews

- a. The Board interviewed Connor Barry for a position on the Recreation Advisory Board.
- b. The Board interviewed Jackie Ojala for a position on the Sustainability Advisory Committee.

3. Town Moderator Re: Upcoming Primary Election

- a. Paul Scafidi, the Town Moderator, spoke about the elections. They're encouraging everyone to get absentee ballots to protect the voters and poll workers. Those who come in person will be socially distanced, so voting will take a little longer. Do not bring water or hand sanitizer. Everyone should wear a mask, although the town can't require it. Ms. Oliff suggested creating a visual representation of the procedures and sharing it via social media.

4. Public Comment

- a. There was no public comment at this meeting.

5. Proclamations/Recognitions

6. Deferral of voting

MOTION: Ms. Oliff moved to postpone the four items up for voting at this meeting to the August 10th meeting, when Ms. Gilman is present. Ms. Cowan seconded. The motion passed unanimously.

7. Appointments

- a. There were no appointments made at this meeting.

8. Discussion/Action Items

- a. David Ryan, SAU16 Superintendent - Draft Return to School Plan

Dr. Ryan said that reopening plans are changing frequently, but they do have a draft plan. 88 people worked on four separate back to school committees,

each focused on a different approach for returning to school. They're looking at ways of socially distancing learning and restricting movement. In the absence of a defined school day, it becomes very difficult for the towns to resume economic activity. Competency-based education and social emotional learning are the beacons they follow. Their scenario for return is "In-Person with Safety Requirements." All adults and students above grade 2 will be wearing masks, with some exceptions for student limitations. There will be more outdoor learning, and masks can be removed outside with 6 foot distancing. Screening, hygiene, and disinfection protocols will be in place. Lunch will take place in elementary classrooms; they will continue with free food distribution for all for middle and high schools, but not hold a lunch. They will have limited school bus transportation to the elementary school, with one child in each seat. If families are not comfortable sending their children back, they would have to enroll the child in a virtual learning platform such as VLACS. They've asked families to provide masks, but they've also ordered over 100,000 disposable masks, so they can provide one if students don't have one. The details continue to evolve.

- b. Wastewater Facility and Main Pump Station Asset Management Presentation
 - i. Matt Berube, the Water Sewer Manager, Chris Berg of Wright Pierce, Sharon Nall of NHDES Wastewater Management, and Jennifer Perry the Public Works Director, were present to discuss the asset management program that Public Works follows.

Mr. Berg said that information about the town's stormwater assets is entered into a database to aid decisions about repair or replacements. They're looking to make the most value-conscious decisions while maintaining the level of service for the customer. They set performance goals, some of which are dictated by regulation, and track how they are meeting them. Currently, all the assets are new, but they've built in calculated replacement dates. There will be \$14 million in renewals in the next 30 years to keep the facility operational.

Mr. Berube said that the big investment of the new treatment plant has pushed them into an asset management program to protect it. When they go out to do repairs, they're able to grade equipment to gauge their lifespan.

Ms. Nall said asset management is a valuable tool to help Select Boards make data-driven, cost-effective decisions. The town is coming up for another round of asset management loan forgiveness for the new wastewater pump stations. NH also offers an audit for optimizing energy efficiency at no cost.

- c. Third Reading - Animal Control Ordinance Amendment

Ms. Cowan read the amendment: Amend Chapter 9 of the Exeter Town Ordinances, delete 910 (section c):

910 Prohibition in parks and commons

No person, firm, or corporation shall allow to have in their physical control any dog while in the geographical confines of the following parks and commons:

- a. Founders Park*
- b. Library grounds*
- c. ~~Gilman Park—off Bell Avenue~~*
- d. Hampton Road Recreation Park*
- e. Park Street Common*
- f. Swasey Parkway*
- g. Brickyard Pond fields*

Add new section, 910.1:

910.1 Dogs are prohibited from the fenced-in ballfield confines at the Gilman Park baseball field. Dogs are also prohibited from the Gilman Park pavilion. This prohibition shall encompass the entire playing fields and Pavilion at each location and shall be in effect on a year round basis, 24 hours per day.

Mr. Papakonstantis asked for public comment, but there was none. They will vote on this amendment at the August 10th meeting.

- d. New England Municipality Sustainability Network (NEMS) - Town Planner

Dave Sharples, the Town Planner, said that he was invited to become an active member in the New England Municipality Sustainability Network (NEMS). Mr. Dean said this will get the town engaged in the regional sustainability network. Mr. Sharples said this interaction will inform what Exeter does with sustainability. There may be some expenses to participate, but it would be covered under his existing travel and training budget. He needs a commitment letter from the town to proceed. Mr. Papakonstantis said they are in support, but will make a motion at the next meeting when Ms. Gilman is present.

MOTION: Ms. Cowan moved to table the vote on NEMS membership until the next meeting. Ms. Oliff seconded. By a roll call vote, all were in favor.

- e. 53 Water Street Correspondence (The Ioka Marquee)

Mr. Papakonstantis said they'd received legal correspondence of July 21 which included an engineer's findings that the Ioka marquee is not in a safe condition, given various structural problems in the building. A significant amount of structural reinforcement will be necessary to support it. Following an HDC vote, Ioka Properties LLC is not allowed to remove the marquee. This letter asks that the Select Board authorize temporary removal of the marquee for storage offsite for safety, or block off the sidewalk and parking spaces in front

Mr. Dean said Sharon Somers of Donahue Tucker spoke with the Mitchell Group and will seek further clarification from the HDC on whether they can remove the marquee temporarily to make repairs. The Select Board does control the public right-of-way, so they have the authority to block it off if necessary. Mr. Papakonstantis asked if "temporary" removal had been defined, but Mr. Dean said no.

Patrick Gordon, the Chair of the HDC, said that according to the application submitted to the HDC, significant work must be done to the facade of the building. He would like to see the developers come back before the HDC with more information. The commission made the decision to save the marquee, but the work above will pose risk to the right of way below. They will likely have to block off the sidewalk area. If the applicant presents a finding that they can't protect the marquee and they must remove it temporarily, they will consider it at the HDC. He asked that if the Select Board were to act, they create an agreement with binding language that if the applicant does not put the marquee back up within a defined period of time, it would be considered a zoning ordinance violation of Article 8 from the HDC with subsequent fines. His fear is if the marquee comes down, it won't go back up. Mr. Papakonstantis asked if they would rehear the case, rather than getting the Select Board involved. Mr. Gordon said yes. They would look for expert testimony on both sides as far as safety and process.

Laurie Couture, who is spearheading efforts to save the marquee, but is not an Exeter resident, indicated that she wished to speak.

Mr. Papakonstantis asked if the Board would allow a non-resident to speak to this. Ms. Oliff said nay, while Mr. Browne, Mr. Papakonstantis, and Ms. Cowan said yes, so she was allowed to speak.

Ms. Couture said she had received an email from Carrie Vaughn of Portsmouth Sign, who did a "drive-by" and photo assessment of the sign. In this email, Ms. Vaughn stated that the marquee is permanently affixed to the building, and any rehab work must be done on-site; she believes it's part of the framing of the building. She estimated a rehab cost of \$25,000. Ms. Couture also heard from an anonymous expert who said that in the 1940s the then-owner had to drill into the building to brace the sign; the bracing was confirmed by Portsmouth Sign in their letter. Support beams could be put under the marquee to reinforce it if there is concern about the structure during construction. The parking is already blocked off because of the large dumpster in front.

Michelle Norton, a non-Exeter resident, wished to speak. Ms. Cowan conducted a roll call. Ms. Oliff said nay, while Mr. Browne, Mr. Papakonstantis, and Ms. Cowan said yes, so she was allowed to speak.

Ms. Norton said the word "temporary" scared her when she watched the HDC meeting. She is glad that they agree that it's an issue.

Mairead Carr of 4 Cross Road said that it's very possible that if the marquee were taken down, it would be irreparably damaged. Research should be done to see if there would be damage if removed.

Attorney Sharon Somers, a non-Exeter resident, asked to speak. Ms. Cowan conducted a roll call. Ms. Oliff said nay, while Mr. Browne, Mr. Papakonstantis, and Ms. Cowan said yes, so she was allowed to speak.

Attorney Somers said the purpose of the legal letter is to notify the Board about information they recently came by. The engineer's report came in after the HDC decision. They're looking to contact the HDC to get clarification on whether

the decision they made precludes them from having a temporary removal of the sign or buttressing the sign in some way. She appreciates concerns about the mechanics of doing so, but their primary concern is safety.

Mr. Dean said he has not yet had a chance to speak with the Building Inspector on this issue, but will do so tomorrow.

Patrick Gordon, the Chair of the HDC, said as a stopgap before the next HDC meeting, they would support temporary bracing, but they can't grant the authorization to do that. Mr. Papakonstantis asked Mr. Dean to raise that option with Mr. Eastman.

f. COVID 19 Updates

i. Eric Wilking, the Fire Chief, said that Rockingham County has remained steady with infections. They're doing a good job of managing transmission, and seeing a plateau with minor numbers, less than 20. There were spikes over the weekend in the 40s and 50s, but there were only 7 today, the fewest in months. They're seeing positive trends. Exeter's total is now 30 infections, although they're continuing to monitor 5 people within a 30 day threshold. They're doing the run volume they did last year, and revenue is beginning to come back into line. The Fire/EMS PPE supply is steady, as vendors have been able to keep up with demand. He spoke with Emergency Management and organized to pick up all of the materials that the town will get for voting. The Health Inspector James Murray and his children are quarantined, and their Covid test has not yet come back. Mr. Murray is available remotely. In Municipal Relief Fund monies, they were notified that FEMA has processed their first application and they should see those funds soon. A second application will be going in for their costs from May through July.

ii. Melissa Roy of Parks and Rec said they received guidelines from the state regarding Fall Sports, which will allow them to happen. After discussion within the Department and a community survey with 200+ respondents, they are proposing a five week season for soccer and flag football. They will increase teams to 10 or 12, and play 30 - 40 minutes of skills and drills, and 50 - 60 minutes of intrasquad scrimmage. They will not be playing against other teams, to minimize the risk of exposure.

Ms. Oliff said anything that allows for kids to be athletic and social while being safe is positive. Mr. Browne was also in favor of athletics. Ms. Cowan said she'd like to hear more about the proposal. Ms. Roy said they would hire a field supervisor to help with temperature screenings, social distancing. There would be signs and field paint to mark social distancing. Mr. Papakonstantis added that James Murray is in support of this plan. Mr. Papakonstantis would like to hear more about what other towns are doing. Ms. Oliff said she'd also like to hear about what other countries which are keeping their numbers down are doing.

Ms. Roy said that the CareKids program is going well, the kids are having a good time despite the heat. There has been good communication with parents. She's happy they were able to service these families with childcare.

There was a Rec expenditure request, but the Board agreed to postpone discussion of the request to the next meeting.

- iii. Mr. Dean said that regarding mandatory masks and the Nashua case, he will check if there is any new news. Portsmouth, which is a city rather than a town, created a mask order. The relevant RSA is 147, a public health RSA, similar to one the town of Salem looked at when contemplating a mask order. If the Board wanted to contemplate something more significant, the Health Officer would make a recommendation to the Board, then there would be a hearing. Town counsel feels that's a potentially viable avenue if they wish to pursue it.

Mr. Dean said that Town Offices have been running without issues. They have had people in the building regularly, and everyone seems to be wearing masks. Masks and hand sanitizer for the public are restocked every day.

Ms. Oliff suggested they should have signs in the Town Office encouraging people to apply for absentee ballots.

9. Regular Business

- a. Tax Abatements, Veterans Credits and Exemptions
 - i. There were no abatements, credits, or exemptions at this meeting.
- b. Permits & Approvals
 - i. There were no permits or approvals at this meeting.
- c. Town Manager's Report
 - i. Mr. Dean said they're working on the CIP. The FY21 budget instructions are going out the door. The BRC is getting ready for their first meeting August 12.
- d. Select Board Committee Reports
 - i. Ms. Oliff said the Housing Committee was supposed to present at the Select Board meeting this week but needed an extension until the next meeting. The Swasey Parkway Trustees meeting will take place Wednesday in person on the Parkway. Renay Allen will be present to discuss the Pocket Park proposal.
 - ii. Mr. Browne attended a Communications Committee meeting. The main discussion was about a survey on digital assets for the town. In the Facilities Committee, they had a Public Works Complex planning discussion.
 - iii. Ms. Cowan had a Planning Board meeting where they discussed the Gateway Project and heard from an expert on wetlands. They will add an additional meeting to the schedule to wrap things up.
 - iv. Mr. Papakonstantis did not have any meetings.
- e. Correspondence

- i. An update on applicants for the Exeter Police Stakeholders Committee. Ms. Cowan encouraged further people to apply. Meetings could start at the end of September.
- ii. A letter from the NH Municipal Bond Bank to the finance director regarding a successful bond sale. The true interest cost for a 15 year loan is 1.37%. They got a good rate for the library bond issue and surface water assessment.

10. Review Board Calendar

- a. The next meetings are August 10 and August 24. Mr. Papakonstantis suggested adding an extra meeting on August 31st, prior to the town voting session. Ms. Oliff said she may not be available.

11. Other Business

- a. Mr. Browne discussed an email re monarch butterflies, which asked the public not to pull milkweeds. Mr. Dean said he will look at which department to share it with.
- b. Mr. Browne said the length of Select Board meetings is making them inaccessible, and he suggested setting time limits on presentations and public comments.

12. Non-Public Session

- a. There was no non-public session at this meeting.

13. Adjournment

MOTION: Mr. Browne moved to adjourn. Ms. Cowan seconded. By a roll call vote, all were in favor, and the meeting adjourned at 9:55 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary

Select Board Meeting
Monday, July 13, 2020
6:50 PM
Remotely via Zoom
Draft Minutes

1. Call Meeting to Order

Members present: Julie Gilman, Molly Cowan, Lovey Roundtree Oliff, Daryl Browne, Niko Papakonstantis, and Russ Dean were present at this meeting. The meeting was called to order by Mr. Papakonstantis at 6:56 PM.

Mr. Papakonstantis said that gatherings of 10 or more people currently pose a risk to our community. The Select Board meeting is imperative to maintaining the Town of Exeter public services, so per RSA 91-A:2(3)b, this meeting will be conducted without a quorum of this body being physically present in one location. He welcomed the members of the public attending remotely, and said the usual rules of conduct and decorum will apply. All votes will require a roll call vote.

2. Board Interviews

- a. The Board interviewed Grayson Shepherd for a position on the Historic District Commission.

3. Public Comment

- a. Tracy Coviello, an Exeter resident and the owner of Exeter Power Yoga, said she is looking to hold yoga classes in Swasey Parkway with a fee waiver. She's currently holding classes in Townhouse Common, but it's hard to social distance there. Mr. Papakonstantis asked that she wait until the first discussion item, which is relevant to this request.

4. Proclamations/Recognitions

- a. There were no proclamations/recognitions at this meeting.

5. Approval of Minutes

- a. Regular Meeting: June 29, 2020

MOTION: Mr. Browne moved to approve the minutes from June 29, 2020 as presented. Ms. Cowan seconded. By a roll call vote, all were in favor.

6. Appointments

MOTION: Ms. Gilman moved to appoint Grayson Shepherd to the Historic District Commission, term to expire 2023. Ms. Oliff seconded. By a roll call vote, all were in favor.

MOTION: Mr. Browne moved to appoint Molly Cowan as the representative to the TIF Board. Ms. Gilman seconded. By a roll call vote, Ms. Cowan abstained, and the motion passed 4-0-1.

MOTION: Ms. Gilman moved to regretfully accept the resignation of Briana Brand from the Energy Committee. Ms. Oliff seconded. By a roll call vote, all were in favor.

MOTION: Ms. Cowan moved to reappoint James Murray as the Town Health Officer, term to expire in April 2023. Ms. Gilman seconded. By a roll call vote, all were in favor.

7. Discussion/Action Items

a. Town Property Permitting Discussion

Mr. Papakonstantis said that because of the Covid-19 situation, there is ongoing concern from the public regarding large gatherings. He proposed continuing to allow Parks and Rec manage the permitting, but to temporarily have the plan also come before the Select Board for extra vetting and public input. Mr. Browne asked how the Select Board would determine the safety of an event beyond what the Health Officer and Parks and Rec would do. Mr. Papakonstantis said the Board would review the information from the applicant and town staff to make the best determination for the public. Mr. Dean said they'd also like to get public input into some of these permits, as well as on the issue of enforcement of the guidelines.

Mr. Browne asked how they would determine when the temporary period was over. He said there should be a commitment to end the Board's involvement. Ms. Oliff suggested reviewing the process once a month to see if there were updated guidelines or if the process could revert back to town staff. Ms. Gilman and Ms. Cowan agreed that it should be periodically reviewed so that it doesn't go on indefinitely.

Mr. Browne asked if it would be better to give the Parks and Rec department more resources to continue to manage this process independently. Melissa Roy of Parks and Rec said that the State guidelines state that the local entity, which is typically the Select Board, has authority over events. Mr. Dean said under normal circumstances Parks and Rec are well equipped to handle things, but in the Covid-19 situation they'd like the Select Board to have input. Ms. Gilman said they initially gave the authority to town staff because the Board only meets every two weeks, and it caused delays in approvals. Mr. Bisson said the Select Board should weigh in on large events such as the upcoming holiday events.

Tracy Coviello, an Exeter resident and the owner of Exeter Power Yoga, would like to have her yoga class on Swasey Parkway. They're already holding the class in Townhouse Common. She has been applying to Parks and Rec, but hasn't made progress. She is also hoping the Board will waive the fee so that her business can survive. Mr. Papakonstantis asked her to email him so they can work with Parks and Rec on where to put the class.

Kathleen Wilkstrom of 7 Charron Circle said that the discussion about wearing masks at events is confusing. If it's a requirement, that's what it should be called. If it's a suggestion, it shouldn't be enforced. She would like to see more events take place and not have the organizers jump through extra hoops. Mr. Dean said the state guidelines for events are asking that attendees require masks.

Chetana Parmar of Grove Street, the Chair of the Sustainability Committee, said she wants to see the town help local businesses like Tracy's yoga business. She disclosed that she has taught classes there.

Robin Tyner of the Sustainability Advisory Committee said she'd done outdoor yoga classes at the Y and they're healthy events. She would like to see more events like this at Swasey Parkway.

Ms. Gilman emphasized that the town government is expected to execute the State's requirements. She added that she doesn't consider a yoga class an "event," and it could have a different level of requirements than a large-scale event.

Ms. Cowan asked if charging the public by donation only for Swasey events is part of the town ordinance. Mr. Dean said that Swasey Parkway is open to the public, so other than the Powderkeg festival which involves alcohol, tickets cannot be sold and the park cannot be closed. Ms. Gilman said they wouldn't be able to prevent the public from also attending the class, but Ms. Oliff said she didn't feel that was a big concern.

Mr. Bisson said at the time of permitting this yoga class, Swasey Parkway was not open, so they ended up in Townhouse Common. Gilman Park has space. He's happy to work with the Chair and the applicant on this.

James Murray, the Town Health Officer, said it's a good idea to include the Board in the permitting for now. It would open the event permitting to public input, which he thinks is a good thing.

Darren Winham said restaurants go through a vetting process for temporary outdoor dining, and the town could be inclusive of other types of businesses in that process. The applicant reached out to PEA, but they wanted \$50 a day. The town should help these businesses if they can.

MOTION: Ms. Gilman moved to amend the Application for Town Facility Use to provide for Select Board approval for a period of 21 days from July 13th, 2020. Mr. Dean asked if they could make it 30 days. Ms. Gilman amended her motion to have Select Board approval last until August 31st. Ms. Cowan seconded.

Mr. Browne said he was concerned that this would open them up to criticism about whether they approve or deny an event. Ms. Gilman said they have to draw lines on events, as waivers and other allowances can be a slippery slope. If they meet or do not meet the criteria to the Board's satisfaction, the Board can go against the Health Officer and Parks and Rec recommendations. Mr. Browne said that they should strengthen their policies rather than change the process. Mr. Dean said they're still in the beginning stages of permitting under these guidelines, and he would like the Board and the public to have insight into the events at first. Mr. Browne said he agrees but would like to see this go back to the previous process as soon as possible.

By a roll call vote, all were in favor.

b. Arts and Culture Advisory Commission Proposal

Mr. Papakonstantis said he's been working on a draft of an Arts Commission proposal for quite some time. Ms. Cowan said they are currently reimagining what the town looks like, so this is a good time to consider it, adding that Enna Grazier first suggested it in November of 2018. Mr. Papakonstantis invited the Board and the public to review the proposal so they can discuss it at a future meeting.

c. Second Reading Animal Control Ordinance Amendment

Ms. Gilman read the deletion from section 9:10 of the Town Ordinances, Section C, *Gilman Park off Bell Avenue*, which will allow the public to have dogs under control in the geographic confines of Gilman Park. Mr. Papakonstantis said there would be one more public reading of this change.

d. PEA Reopening

William Rawson, the Principal of Phillips Exeter Academy, discussed the fall reopening of the school. They are planning to bring all students back, but in a staggered way. First they will allow back the "student leaders," about 100 students, on Labor Day; 11 and 12th graders will be brought back three days later; and 9th and 10th graders will be brought back two weeks after that. Most instruction will be online. There will be extensive Covid testing, and they will not allow students to go into town until they've had two negative tests. Day students will be going home each day, but other students will be limited in their movements. They will be shifting to mostly single dorms, and will use Exeter Inn as a dormitory to de-densify the dorms. They will rely heavily on masks. If they have a positive case, the student will be treated in-house; contacts will be identified and quarantined. If reasonable, families will come and collect the students, but they've also set up a modular unit with 40 quarantine spaces. They're working with six independent medical experts as well as an engineering firm on their plans, and reviewing guidelines from the MA and NH State governments.

Mr. Papakonstantis asked what measures they'll take with students who do not comply with the restrictions. Mr. Rawson said if they have a student who won't comply, they will be sent home to learn remotely. Families also have the choice for students to learn remotely and have their fee adjusted to a day student charge.

Karen Lassey, the Assistant Principal, said they've also been engaged in a conversation with the State on these reopening plans.

e. Sustainability Coordinator Position

Dave Sharples, the Town Planner, said that he prepared a list of his sustainability activities, and the position description the SAC prepared for the Sustainability Coordinator dovetailed with his work. Mr. Browne said that issues touching sustainability could cross departments, so how would someone positioned within a department address them? Mr. Sharples said he would

shepherd anything to do with sustainability, limited only by the time that he can allot to the tasks.

Mr. Winham said the Planning Board and Conservation Commission already limit the damage a developer can do to the local environment. Having a Sustainability Advisory Committee is a positive thing, but in terms of recruitment, he's looking more for fit between the company, town, and workforce rather than strictly a sustainable business. If Mr. Sharples wanted to recruit businesses that were sustainable, he would support that.

Chetana Parmar, the Chair of the Sustainability Committee, said that sustainability is a huge umbrella, and having a coordinator to be a resource for sustainability projects, whether it be research, information, or grants, would enhance the town's work. They are running out of time to do this work, and they all want a healthy and sustainable environment. It will also attract residents and businesses who want to live in a healthier environment.

Mr. Papakonstantis said the request was to approve the job description in the packet, but he would rather see it go back through the vetting of the BRC. They don't know what the town's budget will be like this year, and he does not want to see any existing town services cut due to Covid-19. Sustainability is an important initiative, but that's why they implemented the committee and charged Mr. Sharples with working on these issues.

Mr. Browne said Mr. Sharples has done very well and realized savings on a part time basis, so if they give more resources to this they should realize more savings. Mr. Papakonstantis said that Article 31 was written as if it would pay for itself. He thinks that will be true, but they should create the gap analysis to show how this position will pay for itself.

Ms. Cowan said she wants to hear from other department heads where sustainability is a thread prior to the BRC process, so they can focus on what the town needs.

Robin Tyner of the Sustainability Committee said that things have not changed since the position has been created, other than the Covid-19 situation. Other places have tried committees but found they achieved much more with a dedicated coordinator, even if they were part time.

Mr. Papakonstantis said they were all saying they feel this is important and they want it to succeed. They'll get a Coordinator when the budget permits it. The job description is not a problem and he doesn't think it needs revisions. The BRC was looking at the budget when they did not approve the position.

Chetana Parmar said at the last Sustainability Advisory meeting a document was presented on where they are currently, and it involves different departments. She suggested Julie LaBranche share that document with department heads so they can fill in anything they're currently doing.

Mr. Papakonstantis asked Mr. Dean if the position would be in the budget for next year. Mr. Dean said last year they put some funds together and put it forward in the process, so if there is support from the Board they could do it the same way. Ms. Gilman said she has no problem approving this job description,

although it might change due to the budget. Municipalities are unlikely to get further funding for Covid-19 relief. Ms. Cowan asked if they're not in a financial place to approve this job, what will happen to it? She would like to approve it in concept. Mr. Papakonstantis said they could at least give Mr. Sharples a little more funding. Ms. Gilman said if they create the position and the BRC says no, they could fund it at \$1 and just not fill it.

MOTION: Mr. Browne moved to approve the Sustainability Coordinator job description as created by the SAC as of October 2019. Ms. Oliff seconded. By a roll call vote, all were in favor.

f. Proposal for Pocket Park for Jude & Rhoda Hall - Renay Allen

Renay Allen, an Exeter resident, proposed creating a small park as part of Swasey Parkway to commemorate the Black community of Exeter, especially its patriots. She asked the Select Board to form a group with representatives from multiple and diverse groups to refine the proposal further. Mr. Browne agreed to serve as a representative to this group from the Board.

g. COVID 19 Updates

Chief Wilking said the Fire Department has seen a return to normal call volume over the last 60 days, and their revenue is tracking back to pre-Covid. Covid-19 infection numbers continue to steadily settle down. There were three positive tests in the last few weeks, but those are the only people they're tracking. He hasn't heard back from FEMA on an additional request for \$20,000 in reimbursements.

Mr. Murray said the Farmer's Market moving back to Swasey went very well. They had some initial flow issues which were corrected.

Darren Winham said Employment Security is launching a new job search tool to connect job seekers with open positions. If they don't continue the July 31st unemployment, there will be a lot of people looking for work. SELF for self employed businesses is taking applications. The VFA Gap Fund is a grant, not a loan, to assist businesses that have not been able to access state Covid resources. PPP through August 8th. Helping businesses with these resources.

Mr. Bisson said the CareKids program is going well, they still have 28 participants. They received a grant from the State of NH for Emergency Child Care at \$100,000 this summer; they can also continue with a fall program and get an additional \$8,000. They also received cleaning supplies. They hired additional staff with these funds. The movies are going well, and more people are showing up for the drive-in concerts.

Mr. Dean said the Town Offices reopened, which is going well so far. People are generally being respectful of the requests to wear masks and use hand sanitizer. They're looking for people to make appointments and use online services when possible. The Amtrak Downeaster is increasing its service July 31st. There were some questions about dog licensing and civil forfeiture; he checked, and the State regulations are a "shall." He checked in with other towns and they're pursuing it too. The ability to register dogs was still an option when the Town Offices were closed to the public.

8. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

- i. There were no abatements, credits, or exemptions.

b. Permits & Approvals

Mr. Bisson asked for authorization to expend \$6,350 for Brickyard Park, which is infested with a turf disease. They will improve drainage and close the park down for 6 - 8 weeks to help the grass regrow. They will be working with Organic First Turf Company.

MOTION: Mr. Browne moved to allow Parks & Rec to expend \$6,350 out of the Parks Improvement Fund to contract Organic First for emergency repair and disease remediation for Brickyard Park. Ms. Cowan seconded. By a roll call vote, all were in favor.

Mr. Bisson asked for authorization to expend \$8,900 from impact fees for additional playground chips for Kids' Park. In order to achieve the correct density, they had to use an unanticipated amount of woodchips. The woodchips need to fall under an ASTM compaction rating, which required 12" of these chips where they had anticipated 10". They purchased 156 yards at \$45 a yard. The contractor also removed tripping hazards from the park.

MOTION: Ms. Gilman moved to expend \$8,900 out of Recreation Impact Fees for additional materials and timber removal for Kids' Park Playground. Mr. Browne seconded. By a roll call vote, all were in favor.

c. Town Manager's Report

Mr. Dean said that taxes were 92% collected by July 2nd. Despite initial concerns, that is about where they normally are.

d. Select Board Committee Reports

- i. Ms. Gilman said the Historic District Commission had a demolition review of a barn and two houses on Kingston Road; there was nothing to recommend they remain. The HDC is having a sitewalk at the loka tomorrow at 10, but they will only be able to go into the lobby. Thursday is the final hearing on the loka.
- ii. Ms. Oliff had a Swasey Parkway Trustees meeting, where they discussed the pocket park project, the sewer siphon project, pavilion repairs, and installing a kiosk at the front of the Parkway for rules and notices. The kiosk was proposed but not voted on. The Housing Committee will be presenting at the next Select Board meeting.
- iii. Mr. Browne had no meetings, but will have a Communications and a Facilities meeting this week.
- iv. Ms. Cowan attended a Planning Board meeting, but there was a problem with the case, the applicant decided not to appear.

e. Correspondence

- i. Mr. Papakonstantis expressed his concerns about Board interactions with correspondence and social media, and what constitutes a "meeting." He

asked if they could reach out to NHMA for a training on RSA 91A procedures.

- ii. The Board received a letter regarding a proposed donation of a tree. Mr. Dean will give it to the Trustees of the Parkway.
- iii. Town Moderator Paul Scafidi would like to meet with the Town Clerk, Select Board, and Supervisors of the checklist to coordinate on the upcoming election. Mr. Dean will coordinate this meeting.

9. Review Board Calendar

- a. The next meeting is July 27th.

10. Non-Public Session

- a. There was no non-public session at this meeting.

11. Adjournment

MOTION: Ms. Oliff moved to adjourn. Mr. Browne seconded. By a roll call vote, all were in favor, and the meeting adjourned at 10:30 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary

Board and Committee Appointments

Board and Committee Appointments
August 10th, 2020

Recreation Advisory Board

Connor Barry, Alternate Member, term to expire 4/30/21

Sustainability Advisory Committee

Jackie Ojala, term to expire 4/30/22 (there is also an open term to 4/30/21)



Pam McElroy <pmcelroy@exeternh.gov>

Amy McLaughlin

2 messages

amymc1@comcast.net <amymc1@comcast.net>

Sun, Aug 16, 2020 at 1:32 PM

To: sherri.nixon1@gmail.com, Pam McElroy <pmcelroy@exeternh.gov>, "Arends, Kirsten E" <Kee453@wildcats.unh.edu>, Christine Soutter <cjdavis2001@comcast.net>, Russ Dean <rdean@exeternh.gov>

Hello All!

I hope you all are healthy and happy. I wanted to let you know that I need to step off the health and human services committee. I have given this a lot of thought and knowing what changes are coming for my two student aged children in the fall I will need to be at the house and helping them navigate the new ways of education. As you all know I work full time in our family business and I need to focus on that and our kids.

I have truly enjoyed my time with all of you and maybe when the time is right I will be able to join you on this committee or serve Exeter in another way.

Take care of yourselves and thank you for the work you continue to do.

Be well,

Amy McLaughlin

Public Hearing: Emergency Mask Ordinance



EXETER HEALTH DEPARTMENT
20 COURT STREET, EXETER, NH 03833-2716
Phone: (603)773-6132
FAX: (603)773-6128
www.exeternh.gov

The Town of Exeter, through the Exeter Selectboard, ordains as follows:

**EMERGENCY ORDINANCE #2020-01 REQUIRING THE WEARING OF FACE COVERINGS
UNDER CERTAIN CONDITIONS WITHIN THE TOWN OF EXETER.**

Declaration of Purpose:

The purpose of this emergency ordinance is to enact public health provisions designed to significantly reduce the risk of the spread of Coronavirus Disease 2019, (COVID-19), a virulent infectious disease threatening the public health of the country, including the residents and visitors of the Town of Exeter. These provisions have been recommended by the Centers for Disease Control and Prevention (CDC), the World Health Organization (WHO), the Director of Public Health for the State of New Hampshire, and other communities throughout the State. These provisions must be implemented within the Town of Exeter in order to mitigate the risk of community spread of COVID-19.

Authority:

WHEREAS, NH RSA 147:1 grants Health Officers of cities and towns the authority to draft regulations relating to the public health as in their judgment the health and safety of the people require; and

WHEREAS, the Town of Exeter, New Hampshire Selectboard recognizes additional measures are necessary to prevent or reduce activities that increase the likelihood of the spread of the highly contagious and potentially life threatening virus known as COVID-19; and

WHEREAS, the best means of slowing the spread of the virus is through minimizing close personal contact in a public environment, social/physical distancing by keeping a distance of six feet between yourself and others, covering your mouth and nose by wearing a face covering, and proper hand washing; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has concluded that the wearing of masks by all persons under certain circumstances is an effective method to reduce exposure to the COVID-19 virus, by providing a simple barrier to help prevent respiratory droplets from traveling into the air and onto other people when the person wearing the face covering coughs, sneezes, talks or raises their voice; and

WHEREAS, COVID-19 can be spread by people who do not have symptoms (asymptomatic carriers) and therefore unaware they are infected. It is therefore important that everyone wear face coverings in public settings, whether or not they are feeling ill; and

WHEREAS, the Town of Exeter is part of a diverse education economy including being host to Phillips Exeter Academy, the Seacoast School of Technology, SAU16, and multiple day schools and educational institutions which will bring thousands of students back to school in 2020; and

WHEREAS, the Town of Exeter hosts a Downeaster Train Station, which brings people to Exeter via Amtrak from the New England Region; and

WHEREAS, the Town hosts Exeter Hospital, a significant regional medical care facility which also brings thousands of patients and employees to the immediate area on a daily basis; and

WHEREAS, Exeter is home to multiple senior congregate living facilities housing more than 1,000 residents, a population which is at higher risk for suffering life threatening complications resulting from COVID-19 infection; and

WHEREAS, the Town serves as a regional shopping and dining destination, and

WHEREAS, the State of New Hampshire began on May 11th, with limitations, the opening of retail establishments and other businesses and on May 18th, with limitations, the opening of restaurants, and Exeter has experienced a significant increase in visitor traffic in the downtown; and

WHEREAS, some people fail to recognize the potential risks of COVID-19 and have displayed a lack of support for social/physical distancing, face masks and limiting the size of social gatherings; and

WHEREAS, Exeter businesses, institutions, and organizations have supported a mandatory mask order to make their customers and employees feel safer in the workplace; and

WHEREAS, the potential exists for businesses to operate in a safe manner, and limit the potential spread of COVID-19 if mask usage is required and enforced; and

WHEREAS, every New England state with the exception of New Hampshire has adopted and implemented a comprehensive mask order; and

WHEREAS, numerous citizens within the Town of Exeter have repeatedly requested that the State or Town implement a mandatory mask order for a number of reasons, chiefly to reduce viral spread and to increase the sense of safety for our citizens who are complying with the "Safer at Home" guidance and only venturing out for essential reasons; and

WHEREAS, the Health Officer for the Town of Exeter has made and submitted regulations that the public health and safety of the citizens and visitors of Exeter require; and

WHEREAS, because COVID-19 presents a clear and present danger to the general Exeter community, it behooves the Select Board to take this emergency measure requiring the wearing of face coverings in certain situations to protect the public health;

NOW THEREFORE, for the purpose of continuing to provide safety for its residents and visitors resulting from the unique features of a boarding school community and home to a large regional medical center, as well as several congregate senior living facilities, and regional schools, under New Hampshire RSA 147:1 acting in their capacity as the Exeter Selectboard and based on the Town Health Officer's authority to promulgate regulations for the prevention and removal of public health nuisances, hereby ordains that:

1. A face covering as referenced herein means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers the nose, mouth, and surrounding areas of the lower face. A face covering may be factory made or homemade and improvised from ordinary household material.

2. Employees of all businesses shall wear a face covering over their mouth and nose when interacting with the public and whenever they are within six (6) feet of a co-worker or customer.
3. Members of the public entering or queued to enter, remaining in, or exiting from any business, including without limitation any outdoor area where business of any sort is conducted, work site, or Town of Exeter government building, must wear a face covering.
4. Members of the public entering or queued to enter any restaurant for the purpose of picking up food for take-out or an alcohol-serving business or any other purpose must wear a mouth and nose covering mask. Members of the public dining at a restaurant may remove masks while seated at their table but must wear a mask when entering and exiting the restaurant or moving around the interior or exterior of the restaurant.
5. All such businesses, restaurants, government facilities, and public downtown areas shall post the requirement for a mask.
6. Members of the public must wear face coverings while utilizing sidewalks and other public ways specifically within areas of Exeter where pedestrian traffic is heaviest, including Water Street, Main Street, Lincoln Street, and Front Street, and other public property within the Town of Exeter where maintaining adequate social and physical distancing of at least six (6) feet is not possible.
7. Members of the public utilizing public recreational lands are strongly encouraged but not required to wear a face covering over their nose and mouth to the fullest extent practicable, especially when coming into contact with others where social and physical distancing of at least six (6) feet may not be possible.
8. Members of the public partaking in cardiovascular exercise, including but not limited to jogging, running, or biking, making the wearing of a face covering potentially dangerous, shall not be required to wear a face covering during the activity. Cardiovascular activity in this sense shall not apply to walking. It is recommended that these individuals use increased social distancing as necessary and possible when using public ways.
9. Residents, visitors, and members of the public entering or present at a residential or commercial building complex of greater than two units must wear a face covering over their nose and mouth while in common areas and communal spaces.
10. Members of the public are strongly urged to wear face masks when attending social gatherings including individuals outside their immediate family.
11. Children under the age of ten (10) years old are not required to wear a face covering, although parents should make their own judgement on such use. A face covering is not recommended for children under two (2) years of age.
12. A person may temporarily remove a face covering when in a business if obtaining a service or product that requires verification of the person's identity or age.

Penalties:

Penalties for violation of and continued non-compliance with this ordinance shall be first a verbal or written request to comply, followed by a fine in the amount of \$50 for the second offense, \$100 for the third and subsequent offences.

Effective Date:

Having held one public hearing on _____, 2020, this ordinance shall be effective on _____, 2020.

This ordinance shall automatically and immediately terminate without the necessity of further action by the Town of Exeter Selectboard if one of the following conditions is met:

1. 61 days have passed following the date on which this ordinance came into effect and the ordinance was not extended or reenacted.
2. The Governor of the State of New Hampshire has declared an end to the COVID-19 State of Emergency.

This ordinance may be rescinded at any time by action of the Town of Exeter Selectboard.

IN WITNESS WHEREOF, a majority of the Town of Exeter Selectboard have hereunder set their hands.

TOWN OF EXETER SELECTBOARD

 Niko Papakonstantis, Chair

 Molly Cowan, Vice Chair

 Julie D. Gilman, Clerk

 Lovey Roundtree Oliff

 Daryl Browne

Adopted _____, 2020.

CDC Newsroom

CDC calls on Americans to wear masks to prevent COVID-19 spread

JAMA editorial reviews latest science, while case study shows masks prevented COVID spread

Press Release

For Immediate Release: Tuesday, July 14, 2020

Contact: Media Relations

(404) 639-3286

Americans are increasingly adopting the use of cloth face masks to slow the spread of COVID-19, and the latest science may convince even more to do so.

In an editorial published today in the Journal of the American Medical Association (JAMA), CDC reviewed the latest science and affirms that cloth face coverings are a critical tool in the fight against COVID-19 that could reduce the spread of the disease, particularly when used universally within communities. There is increasing evidence that cloth face coverings help prevent people who have COVID-19 from spreading the virus to others.

“We are not defenseless against COVID-19,” said CDC Director Dr. Robert R. Redfield. “Cloth face coverings are one of the most powerful weapons we have to slow and stop the spread of the virus – particularly when used universally within a community setting. All Americans have a responsibility to protect themselves, their families, and their communities.”

This review included two case studies out today, one from JAMA, showing that adherence to universal masking policies reduced SARS-CoV-2 transmission within a Boston hospital system, and one from CDC’s Morbidity and Mortality Weekly Report (MMWR), showing that wearing a mask prevented the spread of infection from two hair stylists to their customers in Missouri.

Additional data in today’s MMWR showed that immediately after the White House Coronavirus Task Force and CDC advised Americans to wear cloth face coverings when leaving home, the proportion of U.S. adults who chose to do so increased, with 3 in 4 reporting they had adopted the recommendation in a national internet survey.

The results of the Missouri case study provide further evidence on the benefits of wearing a cloth face covering. The investigation focused on two hair stylists — infected with and having symptoms of COVID-19 — whose salon policy followed a local ordinance requiring cloth face coverings for all employees and patrons. The investigators found that none of the stylists’ 139 clients or secondary contacts became ill, and all 67 clients who volunteered to be tested showed no sign of infection.

The finding adds to a growing body of evidence that cloth face coverings provide source control – that is, they help prevent the person wearing the mask from spreading COVID-19 to others. The main protection individuals gain from masking occurs when others in their communities also wear face coverings.

COVID-19 prevention in a Missouri hair salon

When two stylists at a Missouri hair salon tested positive for the virus that causes COVID-19, researchers from CoxHealth hospitals, Washington University, the University of Kansas, and the Springfield-Greene County Health Department worked together to trace contacts, investigate the cases, and publish their findings in the MMWR.

One of the stylists developed respiratory symptoms but continued to see clients for eight days. The other, who apparently became infected from her co-worker, also developed respiratory symptoms and continued to see clients for four days.

The salon in which they worked had a policy requiring both stylists and their clients to wear face coverings, consistent with the local government ordinance. Both stylists wore double-layered cloth face coverings or surgical masks when seeing clients. The median appointment time was 15 minutes and ranged from 15 to 45 minutes. More than 98% of clients wore a face covering—47% wore cloth face coverings, 46% wore surgical masks, and about 5% wore N-95 respirators.

When customers were asked whether they had been ill with any respiratory symptoms in the 90 days preceding their appointment, 87 (84%) reported that they had not. None of the interviewed customers developed symptoms of illness. Among 67 (48%) customers who volunteered to be tested, all 67 tested negative for the virus that causes COVID-19. Several family members of one of the stylist's subsequently developed symptoms and received a diagnosis of COVID-19.

Survey: Acceptance of face-mask guidance increased

CDC analyzed data from an internet survey of a national sample of 503 adults during April 7–9 and found that about 62% said they would follow the newly announced recommendations to wear a face mask when outside the home. A repeat survey during May 11–13 showed that the percentage of adults endorsing face mask wearing increased to more than 76%.

The increase was driven largely by a significant jump in approval by white, non-Hispanic adults, from 54% to 75%. Approval among Black, non-Hispanic adults went up from 74% to 82%, and remained stable among Hispanic/Latino adults at 76% and 77%.

There was also a large increase in face-mask approval among respondents in the Midwest, from 44% to 74%. Approval was greatest in the Northeast, going from 77% to 87%.

Resources:

- CDC's Information on Cloth Face Coverings: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>
- CDC Editorial in JAMA: Brooks JT, Butler JC, Redfield RR. Time for universal masking and prevention of transmission of SARS-CoV-2. JAMA. Published online July 14, 2020. doi:10.1001/jama.2020.13107 <https://jamanetwork.com/journals/jama/fullarticle/10.1001/jama.2020.13107> 
- MMWR Article: No Transmission of Symptomatic SARS-CoV-2 After Significant Exposure With Universal Face Mask Use at a Hair Salon – Springfield, Missouri, May 2020 https://www.cdc.gov/mmwr/volumes/69/wr/mm6928e2.htm?s_cid=mm6928e2_w

MMWR Article: Factors Associated with Cloth Face Coverings Use during the COVID-19 Pandemic — United States, April and May 2020 https://www.cdc.gov/mmwr/volumes/69/wr/mm6928e3.htm?s_cid=mm6928e3_w

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U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES 

CDC works 24/7 protecting America's health, safety and security. Whether disease start at home or abroad, are curable or preventable, chronic or acute, or from human activity or deliberate attack, CDC responds to America's most pressing health threats. CDC is headquartered in Atlanta and has experts located throughout the United States and the world.

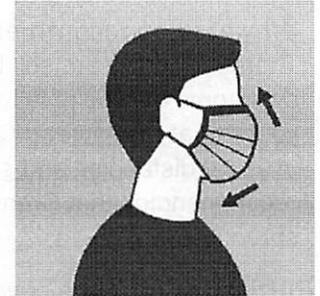
Page last reviewed: July 14, 2020

Using Cloth Face Coverings to Help Slow the Spread of COVID-19

If you need to leave your home, wear a cloth face covering.

The NH Department of Health and Human Services recommends all Granite Staters wear cloth face coverings when outside of the home to help slow the spread of COVID-19. This advice is based on new data about how COVID-19 can spread before a person has any symptoms. A mask helps protect others around you if you are infected and don't know it.

A cloth face covering is one more precaution we can take to help slow the spread of COVID-19 – and is not a substitute for physical distancing and other prevention measures. You still need to stay at least 6 feet away from people, even when wearing a face covering.



The cloth face coverings recommended are not surgical masks or N-95 respirators. These types of masks are critical supplies that must be reserved for our health care workers and first responders. Please make your own face coverings with household items (see more on the back).

Examples of when to wear a face covering	Examples of when you don't need to wear a face covering
Trips to the grocery store, pharmacy, doctor or hospital	At home, if everyone in the home isn't showing symptoms
Essential workers at a grocery store, pharmacy, or other business setting where they cannot maintain at least 6 feet distance between themselves and others	Going for a walk in the woods or in your neighborhood. But bring one in case you encounter other people and stop to chat
At home if you are sick and have other people in the house	Going for a run on the bike path, if it's not too crowded
Home care workers caring for vulnerable populations	Who should never wear a mask: <ul style="list-style-type: none"> • children under the age of 2 • anyone who has trouble breathing, or is unconscious • anyone who is unable to remove the mask without assistance
Riding the bus, taxi, or ride share	
Walking on a busy and crowded street	

What is a cloth face covering?

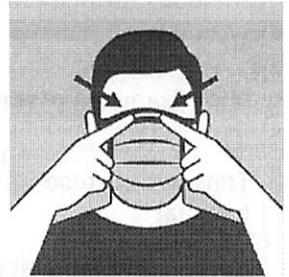
A cloth face covering is any well-secured cloth (like a bandana, scarf, or homemade mask) that covers your mouth and nose. It does not adequately protect the wearer and is not a substitute for social distancing, but can protect others in case the wearer is infected with COVID-19 and has not started showing symptoms. Cloth face coverings are recommended to help preserve Personal Protective Equipment for frontline healthcare workers. For more information about how to wear and make cloth face coverings, see the [CDC website](#).

Why are you recommending this now?

There is a lot we are still learning about COVID-19. However, there is more evidence that people without symptoms may be able to spread the virus, and that droplets produced when breathing, speaking, or clearing your throat may spread COVID-19 from person-to-person. We continue to think staying home and practicing physical distancing and good hand hygiene are the most important ways to stop the spread of COVID-19. By recommending that Granite Staters use a face covering, we are adding one more action to help reduce the spread.

Putting a cloth face covering on

- With clean hands determine the outside of the cloth face covering and that should face away from you.
- Grasp the cloth face covering by the ear loops and place a loop around each ear.
- Make sure the cloth face covering covers your mouth AND nose.
- Avoid touching the front of your cloth face covering while it is in place.
- If it becomes soiled you should replace it.
- If you touch the cloth face covering wash your hands.



Removing a cloth face covering

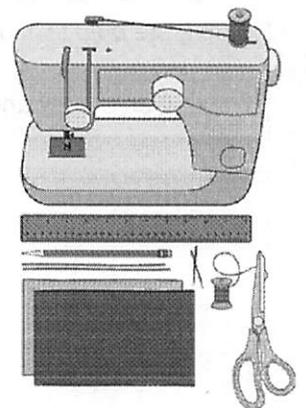
- Grasp the ear loops and pull forward over your ears to remove.
- Do not touch your eyes, nose and mouth when removing it
- Fold the cloth face covering so that the area facing outward, is folded over itself.
- Place a cloth face covering in a plastic bag for laundering later, taking care not to touch it to the outside of the plastic bag.
- Remove and store cloth face covering properly and safely.
- Immediately wash your hands after removing it.

Clean cloth face coverings daily, by hand or machine, using detergent.

A washing machine should suffice to properly wash a cloth face covering. Make sure it's completely dry before using. You should have a few on hand so you can rotate for washing.

Make your own.

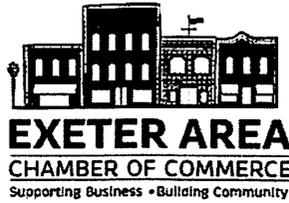
CDC has [instructions on making your own coverings](#) in several different methods, including machine or hand-sewn, a no-sew method with a t-shirt and scissors, and a no-sew method with a bandana.



For more information, visit: <https://www.nh.gov/covid19/>

**Adapted from the Vermont Department of Health*

Chamber of Commerce Lease Renewal: Lower Level Town Hall



August 14, 2020

Town of Exeter Select Board
10 Front St
Exeter, NH 03833

Dear Select Board,

On behalf of the Board of Directors of the Exeter Area Chamber of Commerce, I respectfully request an extension of the lease at 120 Water Street where the Chamber Office is located.

A thirty-six (36) month lease was signed on September 15, 2017 and is scheduled to end on September 1st, 2020. As outlined in the agreement, the Lessee (the Exeter Area Chamber of Commerce) has the option to extend the lease at the end of the lease for an additional twelve (12) month and may extend the lease on each anniversary thereafter for an additional twelve (12) months by mutual consent of the parties.

We request an extension of the lease for another twelve (12) months consistent with the conditions outlined in the original agreement with 2 changes noted below in BOLD:

1. **Rent:** The Lessee shall pay an annual rent of \$6,000 for each 12-month period payable in 12 equal monthly installments due on the first business day of each month.
2. **Property Taxes:** The Lessee acknowledges the lessee's obligations to pay property taxes per RSA 72-23. It is agreed that the aforementioned rent of \$6,000 per year includes any real or personal property tax obligations. Further, it is agreed that the lessee shall have no obligation to pay real or personal property taxes on structures or improvements added to benefit the Lessor.
3. **Leased Space:** The space leased shall be defined as 700 square feet located in the one room shown in the attached sketch formerly occupied by the Exeter District Court.
4. **Utilities:** The Lessor agrees to provide electrical service, heat, water and sewer for said space for no additional cost.
5. **Visitor and Tourism Services:** The Lessee agrees to provide visitor and tourism services to the general public from the leased space as it deems appropriate.
6. **Custodial Services:** The Lessee agrees to provide routine custodial services (cleaning, trash removal, maintenance of Lessee owned equipment, furniture and fixtures) for the

leased space at the Lessee's expense. The Lessor agrees to provide all other maintenance services at Lessor's expense.

7. Alteration of Premises: The Lessee agrees to obtain prior Lessor approval for any renovations.
8. Signage: The Lessee will place exterior signage and lettering on the building as is permitted by Town sign ordinance and may use the hardware above the exterior door for this purpose. The signage will indicate that the space is offices for the Chamber of Commerce and a Visitor Center.
9. Termination: The Lessor may terminate this lease with 30 days notice to Lessee in the event of an unplanned urgent need for the space. **(We propose a change to allow both the Lessor and/or the Lessee the option to terminate this lease with 30 days notice.)**
10. Insurance: The Lessee agrees to carry comprehensive general liability insurance that will insure against a combined loss of not less than One Million Dollars (\$1,000,000.00) for each occurrence. Lessee agrees to deliver to Lessor within sixty (60) days of commencement of the term, hereof, a certificate or certificates from an insurance company satisfactory to Lessor, evidencing such insurance and naming Lessor as an "additional insured".
11. **(This clause was in the original lease agreement, is no longer relevant, and can be removed from the renewed lease)** ~~Improvements: The Lessee may upgrade the space with new flooring, repaired judge's bench, reinstallation of the judge's bar, painting and the installation of office cubicles at its own expense. The Lessee may install an air filter system and ventless air conditioning the expense of which will be reimbursed by lesser through rent credits. The air filtration system and ductless air conditioning system will remain with the space at the end of the lease. Any other air quality mitigation services will be the responsibility of the Lessee. The Lessee will provide proper documentation to the Lessor in order to process the rent credits and these credits shall not exceed \$10,000.~~
12. Amendments to this lease shall be made upon mutual consent of the parties.
Amendments shall be in writing.

We are grateful for the partnership with the town, and look forward to the opportunities our continued collaboration brings to the Chamber, the town of Exeter and surrounding communities.

Regards,



Jennifer Wheeler, President
Exeter Area Chamber of Commerce

Lease Agreement

This agreement (the "Agreement") is made and entered into by and between **THE TOWN OF EXETER, NH**, with an address of 10 Front Street, Exeter, New Hampshire, 03833, hereinafter referred to as "Lessor" and **THE EXETER AREA CHAMBER OF COMMERCE**, with an address of 24 Front Street, Exeter, New Hampshire 03833, hereinafter referred to as "Lessee".

WHEREAS, the Lessor is the owner of the property located at 9 Front Street, Exeter, Rockingham County, New Hampshire (hereinafter referred to as "the Premises") and further described on the attached Exhibit A and;

WHEREAS, the Lessee desires to lease/rent a portion of the Premises;

NOW THEREFORE, the parties agree and bind themselves as follows:

1. **Term:** This lease shall commence on September 1st, 2017 and shall continue for thirty six (36) months, ending on September 1st, 2020.
2. **Extension:** The Lessee will have the option to extend the lease at the end of the lease for an additional twelve (12) month and may extend the lease on each anniversary thereafter for an additional twelve (12) months by mutual consent of the parties.
3. **Rent:** The Lessee shall pay an annual rent of \$6,000 for each 12-month period payable in 12 equal monthly installments due on the first business day of each month.
4. **Property Taxes:** The Lessee acknowledges the lessee's obligations to pay property taxes per RSA 72-23. It is agreed that the aforementioned rent of \$6,000 per year includes any real or personal property tax obligations. Further, it is agreed that the lessee shall have no obligation to pay real or personal property taxes on structures or improvements added to benefit the Lessor.
5. **Leased Space:** The space leased shall be defined as 700 square feet located in the one room shown in the attached sketch formerly occupied by the Exeter District Court . The sketch is hereby made part of this lease (attached herein as as Appendix A).
6. **Utilities:** The Lessor agrees to provide electrical service, heat, water and sewer for said space for no additional cost.
7. **Visitor and Tourism Services:** The Lessee agrees to provide visitor and tourism services to the general public from the leased space as it deems appropriate.

8. Custodial Services: The Lessee agrees to provide routine custodial services (cleaning, trash removal, maintenance of Lessee owned equipment, furniture and fixtures) for the leased space at the Lessee's expense. The Lessor agrees to provide all other maintenance services at Lessor's expense.

Alteration of Premises: The Lessee agrees to obtain prior Lessor approval for any renovations.

9. Signage: The Lessee will place exterior signage and lettering on the building as is permitted by Town sign ordinance and may use the hardware above the exterior door for this purpose. The signage will indicate that the space is offices for the Chamber of Commerce and a Visitor Center.

10. Termination: The Lessor may terminate this lease with 30 days notice to Lessee in the event of an unplanned urgent need for the space.

11. Insurance: The Lessee agrees to carry comprehensive general liability insurance that will insure against a combined loss of not less than One Million Dollars (\$1,000,000.00) for each occurrence. Lessee agrees to deliver to Lessor within sixty (60) days of commencement of the term, hereof, a certificate or certificates from an insurance company satisfactory to Lessor, evidencing such insurance and naming Lessor as an "additional insured".

12. Improvements: The Lessee may upgrade the space with new flooring, repaired judge's bench, reinstallation of the judge's bar, painting and the installation of office cubicles at its own expense. The Lessee may install an air filter system and vent-less air conditioning the expense of which will be reimbursed by lessor through rent credits. The air filtration system and ductless air conditioning system will remain with the space at the end of the lease. Any other air quality mitigation services will be the responsibility of the Lessee. The Lessee will provide proper documentation to the Lessor in order to process the rent credits and these credits shall not exceed \$10,000.

13. Amendments to this lease shall be made upon mutual consent of the parties. Amendments shall be in writing.

The parties hereby agree to the terms of this lease by affixing their signatures on this ____ day of _____, 2017.

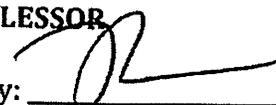
WHEREFOR, the Lessor, the Town of Exeter, New Hampshire, by and through the Board of Selectmen, or its Town Manager, duly authorized, has hereunto subscribed its name this _____ day of _____, 2017 and Lessee, the Exeter Area Chamber of Commerce, by and through its Board of Directors or its duly authorized designee has subscribed its name this ____ day of _____. 2017.

LESSEE

By: 
Authorized Signature

Date: 9/11/17

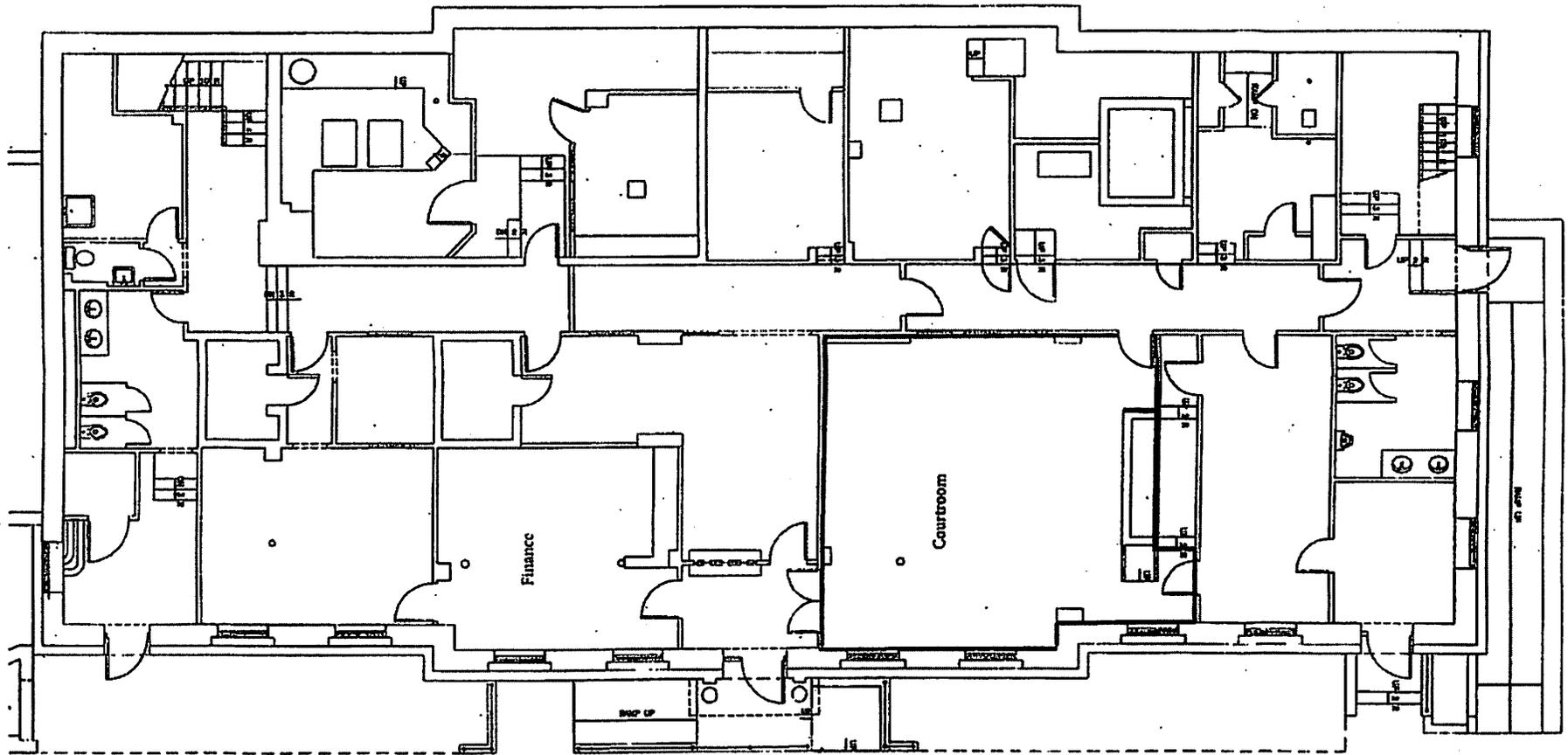
LESSOR

By: 
Authorized Signature

Date: 9/8/17

Appendix A

Town Hall
GROUND FLOOR



Outdoor Watering Ban – Level 4 Restriction Recommendation



EXETER PUBLIC WORKS DEPARTMENT

13 NEWFIELDS ROAD • EXETER, NH • 03833-4540 • (603) 773-6157 • FAX (603) 772-1355

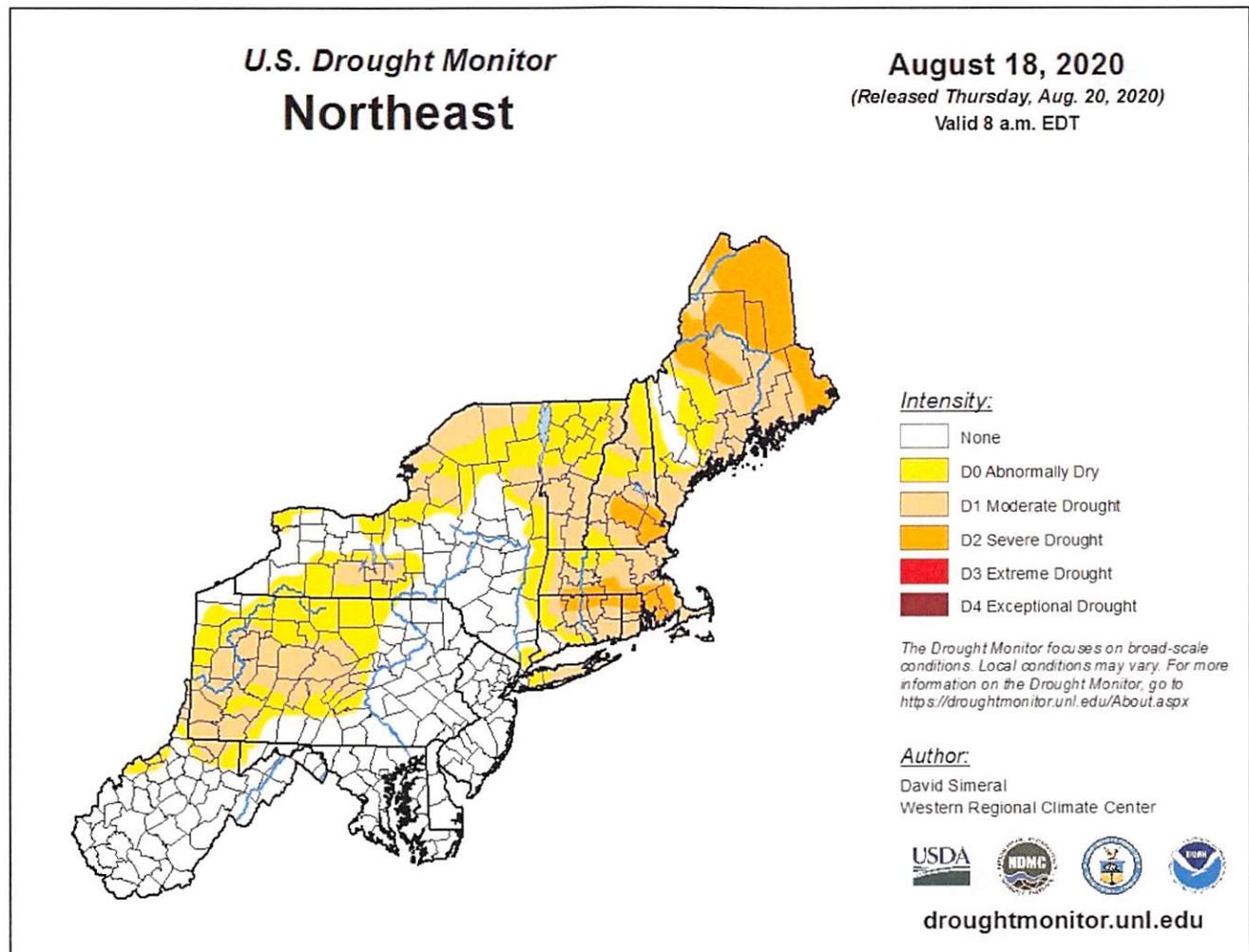
www.exeternh.gov

MEMO

DATE: August 21, 2020
TO: Russell Dean, Town Manager
FROM: Jennifer R. Perry, P.E., Public Works Director
RE: Water Resources Status Update & Recommended Water Use Restrictions

New Hampshire Drought Conditions

The U.S. Drought Monitor dated August 18, 2020, **elevated conditions to severe drought (D2)** in southeastern New Hampshire. Southeastern New Hampshire was rated abnormally dry (D0) May 26, 2020 and moderate drought (D1) June 23, 2020. The State has implemented the Drought Management Plan, advising public water systems to implement outdoor water use restrictions where needed, and encouraging private well owners to conserve water. Based upon recommendations from the Public Works Department, the Exeter Select Board issued Level 2 water restrictions effective July 7, 2020. We recommend **elevating restrictions to Level 4, which bans outdoor watering.**

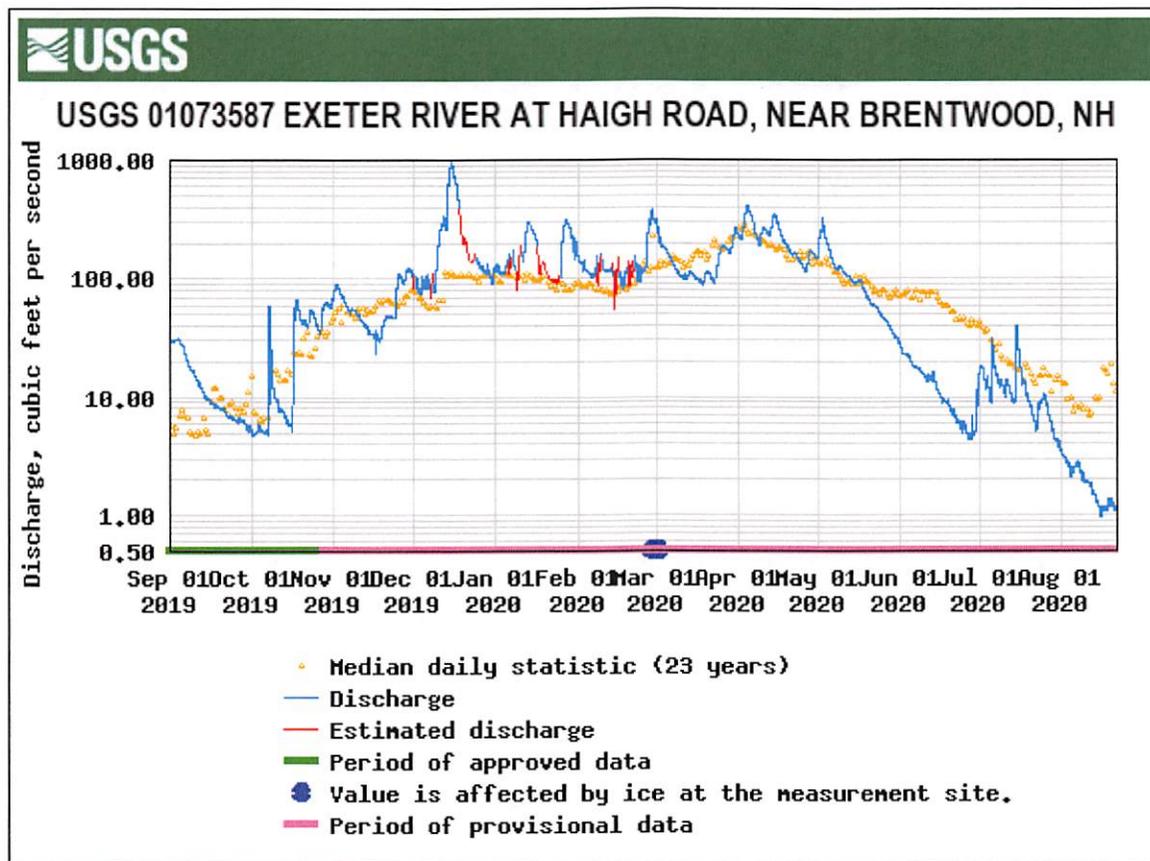


The U.S. Drought Monitor is jointly produced by National Drought Mitigation Center at University of Nebraska-Lincoln, U.S. Department of Agriculture, and National Oceanic and Atmospheric Administration. Map courtesy of NDMC.

River Flow

July and August are typically periods of summer low flow. The USGS stream flow gauge on the Exeter River at Haigh Road in Brentwood (drainage area 63.5 square miles) indicates current instantaneous discharge is 1.07 cubic feet per second (cfs) (at 9:15 pm on 8/21/2020) which is below the previous minimum on this date in 1996. The water supply intake for the Town of Exeter is located several miles downstream, with a contributing watershed of 107 square miles. The flow rates at the intake location are estimated to be 1.69 times higher than at Haigh Road, or approximately 1.8 cfs (1.2 MGD).

Exeter River flow rates are **much below normal** for this time of year.



Groundwater Levels

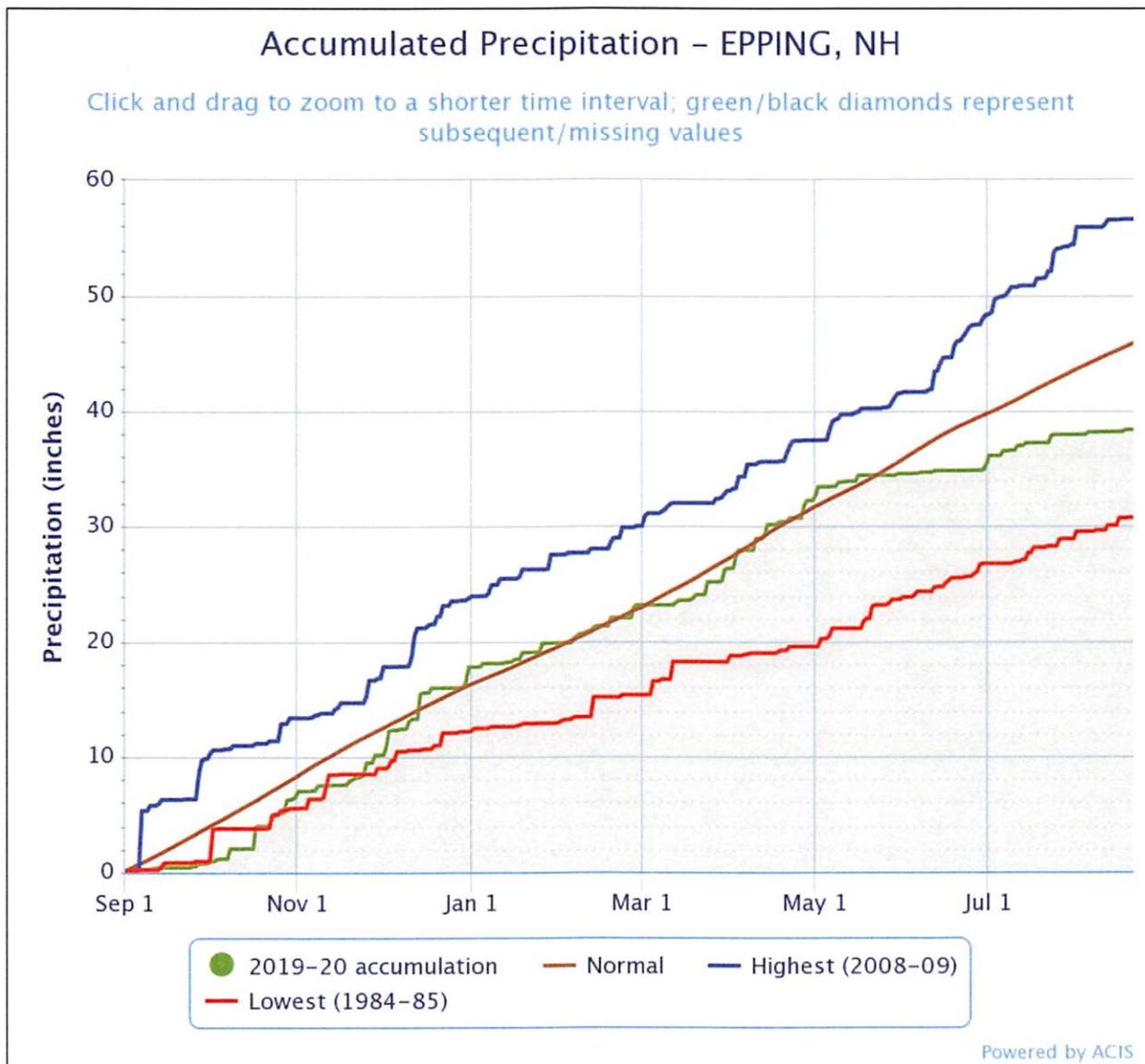
Groundwater levels for long-term monitoring wells in the region vary by location. The USGS wells in Epping, Concord and Nashua range from normal to below normal to low, respectively.

Current groundwater levels are considered **below normal** for this time of year.

Precipitation

Total precipitation received since January 1 through August 20 is 20.52 inches which is 9.29 inches below the mean of 29.81 inches (Source: National Weather Service NOWData for Epping, NH). Total annual precipitation averages 48.11 inches for this site (55 years of record). The last precipitation event occurred on August 18 (0.18 inches).

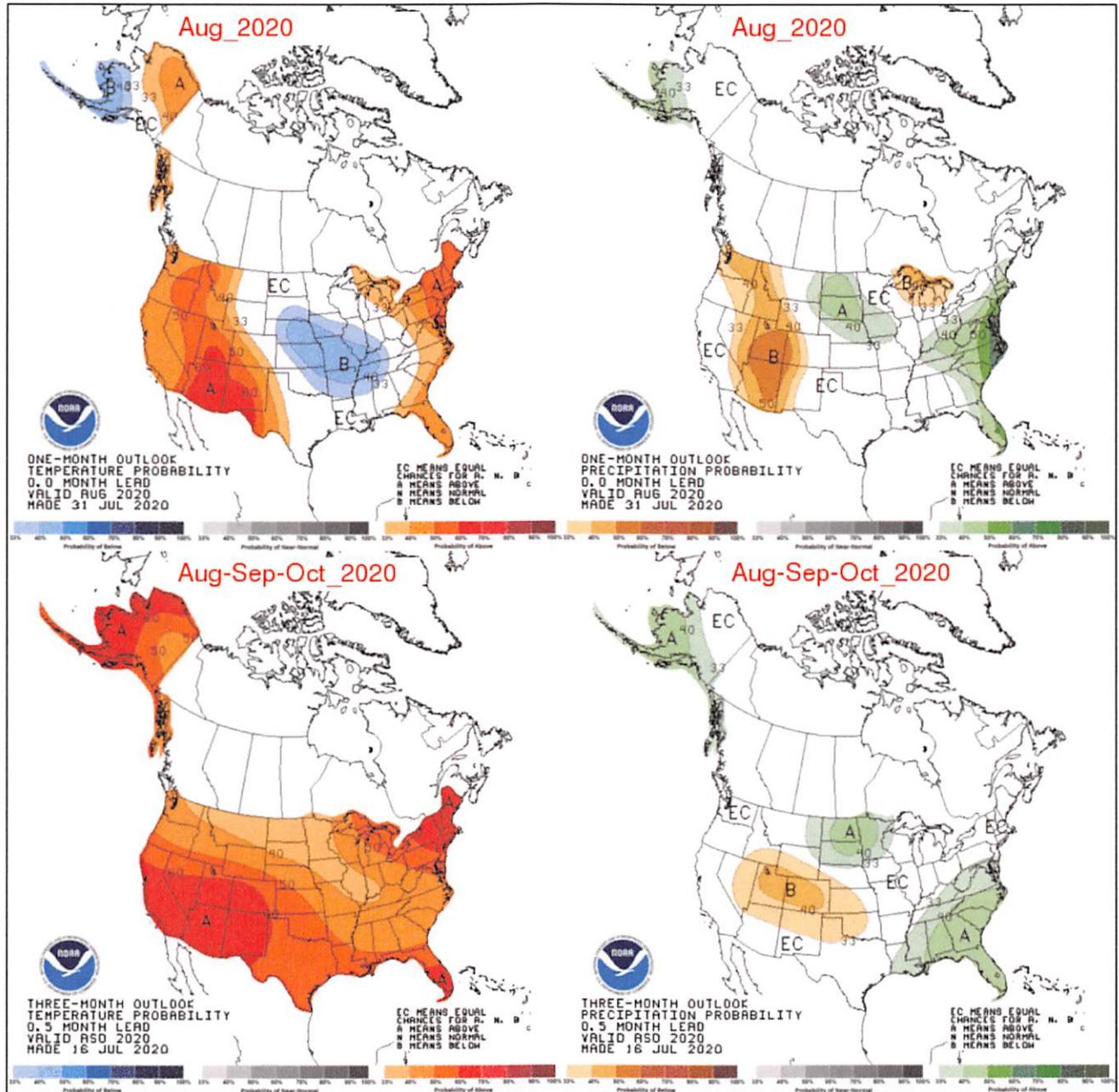
There is a **9.29 inch precipitation deficit** for the year; precipitation is **much below normal** for the year and month.



NOAA/National Weather Service, Gray/Portland Office. NOWData for Epping, NH.

Temperature and Precipitation Forecast

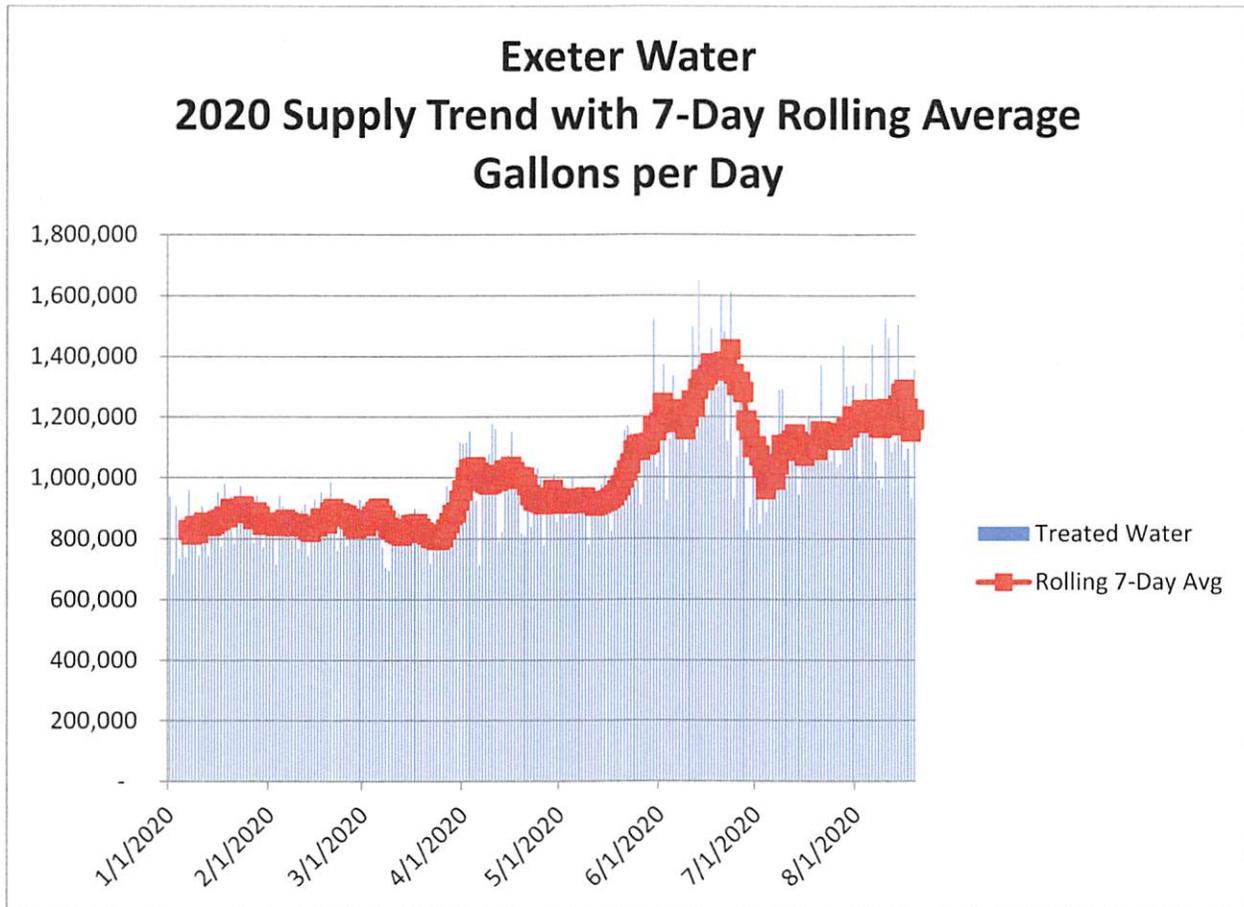
August and the 3 month outlook (August through October) temperatures are predicted to continue to be **above normal**. The three month outlook from NOAA indicates above normal precipitation for August and equal chances for above, normal or below normal precipitation for August through October for the New England region.



http://www.cpc.ncep.noaa.gov/products/predictions/multi_season/13_seasonal_outlooks/color/churchill.php

Exeter Water Supply

Overall, water usage or demand in the Exeter public water system has continued to increase since implementation of the Level 2 (odd-even) water restriction effective July 7. **Usage is up 28% since May 1, primarily due to outdoor water use.** The seven day average in early May was 0.93 million gallons per day (MGD); on August 19 it was 1.19 MGD. To date in 2020 the surface water treatment plant (SWTP) produced 161.1 MG, supplying 69% of demand. The groundwater treatment plant (GWTP) produced 72.3 MG, supplying 31% of demand.



Summary

Temperatures have been above average since May and are predicted to continue to be above average through October. Precipitation is well below normal. Surface waters and groundwater levels are declining and much below normal. Southeastern New Hampshire is now in a declared severe drought (D2). Water usage is up 29%, primarily due to outdoor water use, despite the Town of Exeter Level 2 outdoor water restrictions effective July 7, 2020.

Recommendation

In accordance with Exeter Town Ordinance 1610, Water Use Restrictions, the Public Works Department recommends **Level 4 water restrictions be implemented to conserve and maintain adequate reserves of the public water supply. Level 4 restrictions prohibit landscape watering.** Water users are encouraged to practice effective water conservation. For helpful tips on water use and conservation go to <https://www.epa.gov/watersense>.

EXETER TOWN ORDINANCES

1610 Water Use Restrictions

- 1610.1 The purpose of this ordinance is to ensure the use of water is regulated in a manner the Town of Exeter Board of Selectmen (Board) deems to be in the best interests of the Town of Exeter. The Board may use reasonable means to protect, preserve and maintain the public health, safety and welfare when a water supply shortage exists.
- 1610.2 The Town of Exeter adopts this - ordinance under its authority to regulate public water systems under RSA 38:26 and to restrict the use of private wells to water lawns under RSA 41:11-d.
- 1610.3 The requirements of this section shall apply to all water users with connections receiving water from the Exeter Water Department and, under state or federally declared drought conditions, all residential well users within the Town.
- 1610.4 By definition, a water supply shortage is a situation when insufficient water is available to meet the present or anticipated needs of the water system. A water supply shortage usually occurs due to drought or a major infrastructure failure.
- 1610.5 Upon declaration of a State of Water Supply Shortage or other water emergency the Board shall be authorized to determine and implement restrictions necessary to conserve and maintain adequate reserves of the public water supply. Provided there is a declaration as noted above, the following levels of progressive restriction will apply immediately after the public notification period specified in 1610.6.
- a. If the Board issues a Level 1 restriction, then
 - i. The public is requested to refrain voluntarily from landscape watering and to limit the amount of water used outdoors for other purposes.
 - ii. Landscape watering shall not occur between the hours of 8 am and 7 pm.
 - b. If the Board issues a Level 2 restriction, then
 - i. Landscape watering by odd numbered addresses is allowed on odd numbered days.
 - ii. Landscape watering by even numbered addresses is allowed on even numbered days.
 - iii. Landscape watering shall not occur between the hours of 8 am and 7 pm.

- c. If the Board issues a Level 3 restriction, then
 - i. Landscape watering by odd numbered addresses is allowed on Mondays and Thursdays.
 - ii. Landscape watering by even numbered addresses is allowed on Tuesdays and Fridays.
 - iii. Landscape watering shall not occur between the hours of 8 am and 7 pm.

If the Board issues a Level 4 restriction, then

- i. Landscape watering is prohibited.
- ii. The filling of swimming pools greater than 100 gallons capacity is prohibited.
- iii. Washing of streets, driveways, sidewalks or other impervious areas is prohibited.
- iv. Washing of vehicles or boats at a non-commercial facility shall be prohibited.

1610.6 Notification of intent to implement water use restrictions by the Board due to a water supply shortage shall be posted three days prior to effective date in two public locations and published in a newspaper of general circulation within the town of Exeter or by such other means reasonably determined to notify all affected water users.

1610.7 The Board upon a determination that the water supply shortage no longer exists may terminate a State of Water Supply Shortage. Public notification of the termination of a State of Water Supply Shortage shall be given in accordance with 1610.6.

1610.8 Exceptions to restrictions include the following

- a. Hand irrigation of crops used for food by residents at a residential property shall not be restricted.
- b. Water to sustain animal life shall not be restricted.
- c. Commercial car washes, cash crops, farms, flower shops or garden centers shall not be restricted.
- d. Despite the authority granted by 1610.2, orders imposing water use restrictions shall not apply to uses that obtain water from sources other than the public water supply, unless it can be clearly demonstrated that the use of such water directly affects the public water supply. Note: Municipalities have the authority to implement lawn watering restrictions in accordance with RSA 41:11-d applicable to all water users (including those using private wells) under state declared drought conditions.

1610.9 Any person failing to comply with the restrictions imposed pursuant to this ordinance shall be subject to a fine and/or be subject to imposition of civil penalties pursuant to RSA 38:26, II not to exceed \$10,000 per day of such

violation. Recovered penalties shall be used as the Town of Exeter may direct. In addition to the foregoing penalties, the Town of Exeter is authorized to discontinue the furnishing of water where orders and restrictions have been violated. Such discontinuance shall be made pursuant to RSA 38:31 and may be continued so long as there is evidence that the violations will continue.

First violation: Written warning delivered to site of violation
Second violation: \$100 fine
Third violation: \$500 fine and discontinuance of water service.

All current fees will be applicable in addition to fines including but not limited to fees for water shut-off and turn-on.

Animal Control Ordinance - Vote

AMEND CHAPTER 9 – EXETER TOWN ORDINANCES

Delete from Section 910 (section c.):

910 Prohibition in Parks and Commons

No person, firm or corporation shall allow to have in their physical control any dog while in the geographical confines of the following parks and commons:

- a. Founders' Park
- b. Library grounds
- c. ~~Gilman Park off Bell Avenue;~~
- d. Hampton Road Recreation Park;
- e. Park Street Common
- f. Swasey Parkway
- g. Brickyard Pond fields

Add a new section 910.1:

910.1 Dogs are prohibited from the fenced-in ballfield confines at the Gilman Park baseball field. Dogs are also prohibited from the Gilman Park Pavilion. This prohibition shall encompass the entire playing fields and Pavilion at each location and shall be in effect on a year-round basis, 24 hours per day.

Niko Papakonstantis, Chair

Molly Cowan, Vice Chair

Julie Gilman, Clerk

Lovey Roundtree Oliff

Daryl Browne

900 Purpose

This ordinance is designed to regulate the licensing and conduct of dogs.

901 Definitions of Terms

As used in this ordinance, unless the context shall otherwise indicate, the following terms shall be defined as herein set forth:

- a. **Dog:** Any member of the family canidae.
- b. **Owner:** Any person, group, association or organization maintaining, keeping, caring for, harboring or owning a dog.
- c. **At Large:** Off the premises or property of the owner while not on a leash, not under the physical control of a responsible person, and not confined within a vehicle.
- d. **Enclosure:** Shall be intended to mean any structure, fenced or otherwise, which is secure on all sides, top and bottom, so as to prevent the exiting of the dog or entrance of young children. Said enclosure shall be of a proper size as regulated State Statute.
- e. **Vicious Dog:** Shall be intended to mean any dog which growls, snaps at, bites or chases any person or persons while on foot or on any propelled vehicle. It shall also include any dog which has attacked any animal, as domestic or wild.
- f. **Growl:** Is an indication of a dog's imminent attack, usually accompanied by the bearing of teeth and the fur on its back standing up. (Guttural threatening sounds made by an angry animal; low guttural menacing sound as a dog; a deep, angry, throaty noise as of a dog.)
- g. **Chasing cats or any other animal is not a part of the ordinance.** Dogs would only be considered vicious if they attacked the animal causing injury or death. The ordinance is to supplement RSA 466:36 which authorizes the killing of dogs found in active pursuit. In most cases, the dog leaves the scene without being killed and, therefore, needs to be designated a future danger to the public and other animals.

902 At Large Prohibited

It shall be unlawful for the owner or keeper of a dog to permit a dog so-owned or kept, to run at large without being controlled by a leash, except for the following:

- a. when dog is upon the owner's property;

- b. when dog is accompanied by owner or custodian and being used for hunting, herding, supervised competition and exhibition, or;
- c. when in actual training for hunting, herding or competition and exhibition.

903 Impounding of Dogs

Any dog found at large without the premises or property of the owner and within the Town of Exeter may be restrained and impounded by the Police department. A dog so impounded may be confined in a suitable animal shelter for not more than seven (7) days may be humanely disposed of by the Exeter Police Department.

904 Claiming Impounded Dogs

An owner or individual claiming a dog impounded by the Exeter Police Department shall pay to the Town of Exeter a fee of twenty (\$20) dollars for the dog. In the event an animal shelter is used other than a town-owned facility, the owner or individual claiming the dog shall pay shelter fees established by the outside shelter and approved by the Board of Selectmen.

905 License and Registration

The owner of a dog kept, harbored or maintained in the Town of Exeter, shall license and register the dog as specified in Chapter 466 of the Revised Statutes Annotated of the State of New Hampshire.

906 Killing Dogs

Any member of the Exeter Police Department may kill any dog found in the act of maiming or in close pursuit of deer, caribou, moose, cattle, swine, poultry or other domestic animal. Any dog that is located without proper identification and that is suffering serious injury (ies), distemper or other apparent serious illness may be disposed of forthwith at the discretion of the Exeter Police Department.

907 Dogs a Menace, Nuisance or Vicious

Any dog that is considered to be a menace or a nuisance, or vicious to persons or to property under any or all, but not limited to, the following conditions:

- 907.1 If it runs at large without being controlled by a leash. (See Section 902)
- 907.2 If it barks for sustained periods of more than one-half hour, or during the night hours so as to disturb the peace and quiet of a neighborhood or area.
- 907.3 If it digs, scratches or excretes on any property other than its owner's;
- 907.4 While in heat is unconfined (confinement shall mean within an enclosed building - not accessible to any other dog (s));
- 907.5 If it growls, snaps at, runs after or chases any person or persons;

- 907.6 If it runs after or chases bicycles, motor vehicles, motorcycles or other vehicles being driven, pulled or pushed on the streets, highways or public ways;
- 907.7 If whether alone or in a pack with other dogs, it bites, attacks or preys on game animals, fowl or human beings;
- 907.8 If the skin of a person has been punctured by a dog and the incident was reported, including the identity of the dog and its owner, to the animal control officer, such officer shall, within 24 hours, notify the injured person or, in the case of a minor, the minor's parent or guardian, whether, according to town records, the dog has been appropriately immunized against rabies.
- 907.9 Any person who fails, by appropriate action including but not limited to restraining an animal from running at large, or otherwise effectively abating a nuisance found such under the provisions of this section, or who fails to comply with any other provisions of this section after being so ordered, shall have the person's dog taken into custody by the Exeter Police Department and such disposition made of the dog as the court may order.
- 908 **Removal of Animal Excrement Required**
Any person who owns or is responsible for an animal shall, if the animal defecates upon public property or private property, promptly clean up and dispose of the excrement. The excrement shall be disposed of in a lawful and sanitary manner.
- 910 **Prohibition in Parks and Commons**
No person, firm or corporation shall allow to have in their physical control any dog while in the geographical confines of the following parks and commons:
- a. Founders' Park
 - b. Library grounds
 - c. Gilman Park - off Bell Avenue;
 - d. Hampton Road Recreation Park;
 - e. Park Street Common
 - f. Swasey Parkway
 - g. Brickyard Pond fields
- 911 **Enforcement Procedure**
The enforcement of this Chapter shall be the responsibility of the Exeter Police Department. The Exeter Police Department may issue complaints alleging violations of this Chapter.
- 912 **Vicious Dogs**
No persons owning a vicious dog shall keep such dog on private property unless said dog is in a secure enclosure of the residence of the owner. Vicious dogs shall not be allowed on public property except when on a leash of three feet or less in length and a tensile strength of at least 300 pounds. If said dog has

caused serious bodily injury, it shall also be muzzled while on public property. Vicious dogs so restrained shall be under the control of an adult able to restrain the dog while off the owner's premises.

913 Enclosures

Any person keeping a vicious dog in an enclosure outside of their residence shall post said enclosure with a sign or signs stating: "Beware of Dog" on any side where access to the dog is possible. Said sign(s) shall have letters of no less than two (2) inches in height.

914 Bodily Injury

Any vicious dog which has caused serious bodily injury, or which has not been restrained as set forth in this Chapter, shall be impounded by the Town and held until a disposition is ruled by the Court.

915 Insurance

Any owner having been convicted of keeping a vicious dog(s) which has caused serious bodily injury, shall show proof of \$100,000 liability insurance for bodily injury or death to the Animal Control Officer, as in the licensing of guard dogs under NH Revised Statutes Annotated 466:46

916 Violations/Fines

Any person who violates any provision of paragraph 907 shall be guilty of a violation; provided that if such person chooses to pay the civil forfeiture specified below, the person shall be deemed to have waived the right to have the case heard in district or municipal court and shall not be prosecuted or found guilty of a violation of paragraph 907. Any person who does not pay the civil forfeiture specified below shall have the case disposed of in district or municipal court.

Any person who violates any of the provisions of paragraph 907 shall be liable for a civil forfeiture, which shall be paid to the Town Clerk within 96 hours of the date and time notice is given by any law enforcement officer to the owner or keeper of a dog in violation of paragraph 907. If the forfeiture is paid, said payment shall be in full satisfaction of the assessed penalty. The forfeiture shall be in the amount as specified for the following violations:

- a. \$25 for the first nuisance offense under sub-paragraph 907.1, 907.2, 907.3 or 907.4; \$50 for the second nuisance offense committed within 12 months of the first nuisance offense under sub-paragraph 907.1, 907.2, 907.3 or 907.4.
- b. \$50 for the first menace offense under sub-paragraph 907.5 or 907.6; \$100 for the second or subsequent menace offense committed within 12 months of the first menace offense under sub-paragraph 907.5 or 907.6.
- c. \$100 for the first vicious offense under sub-paragraph 907.7; \$200 for the second or subsequent vicious offense committed within 12 months of the first vicious

offense under sub-paragraph 907.7.

Any person who pays a civil forfeiture specified above 2 times in any 12-month period according to the records of the Town Clerk, may not pay a civil forfeiture for subsequent violations of paragraph 90 in that 12-month period, but shall have those case disposed of in district or municipal court. In the case of a vicious dog, as described by paragraph 907, where its behavior presents a threat to public safety, immediate District Court or Municipal Court proceedings may be initiated in lieu of the civil forfeiture.

917 Penalties

A person, firm or corporation violating any provisions of Chapter 9 of this code (excluding 907) shall be punished by a fine of not more than one hundred (\$100) dollars for each offense.



EXETER POLICE DEPARTMENT



Memorandum

May 15, 2020

To: Town Manager, Russ Dean

From: Chief Stephan Poulin

Ref: Chapter 9 Animal Control (Gilman Park)

I have met with our Animal Control Officer, Julia Doane, in reference to Chapter 9 of our Town Ordinances (T.O.): Animal Control. I have also communicated with Exeter Parks and Rec Director, Greg Bisson. Specifically, we have been researching the 910 prohibition of dogs in parks and commons with regards to section 910-c.: Gilman Park. Furthermore, we have also reviewed the Conservation Easement Deed for the Park.

We believe that there is room for some modification of the Town Ordinances to dispel the false notion that Exeter is not “dog friendly”. We could support that Gilman Park be removed from T.O. 910. Dogs would therefore be allowed (still leashed under T.O. 902 and excrement removed under T.O. 908) to walk the Park and enter into the trails. Proper signage and waste baskets should be erected.

However, with this comes a further discussion into the meaning of the confines of the Park. Other Towns have Ordinances which prohibit dogs from playing fields, baseball fields, and playground areas. With the expansion of the Park to accommodate a Gazebo and playing areas for children etc. and to prevent future issues, we would suggest creating a T.O 910.1. The wording of this new T.O. prohibiting dogs from ballfields, playgrounds, or picnic areas can be worked out with further discussions as needed.

In addition, we would like to also note that we are aware that there are owners who are looking for a place in Exeter to let their dogs run off leash. For this, ACO Doane has been advising dog owners that if they are looking for a space to do that sort of activity, as long as their dog is "under control" according to NH state law, than they can take their dog to the WMA at Conner Farm- (but they must follow posted rules, which right now requires leashes as it is nesting season). This seems to have been getting received well.

Tennis Court Repairs: Parks Improvement Fund: \$10,628



EXETER PARKS & RECREATION

32 COURT STREET • EXETER, NH • 03833 • (603) 773-6151 • www.exeternh.gov



TOWN OF EXETER MEMORANDUM

TO: Russ Dean, Town Manager
CC: Doreen Chester, Finance Director
FROM: Greg Bisson, Director of Parks and Recreation
RE: Courts Crack Repair
DATE: 07/13/2020

Maintaining the basketball and tennis courts at the Recreation Park is a challenge due to the age of the facility. The town resurfaced the courts last year, but due to the age of the sub base, cracks could appear yearly. Last year's mild winter caused a crack to form across multiple tennis and basketball courts. These cracks will only worsen, causing structural issues with the courts if we do not fix them before the winter. There are only two solutions to solve these issues.

- 1) Option 1: Re-construct the tennis courts entirely. In 2003, the town appropriated \$250,000 to rebuild the tennis courts. This cost only covered the cost of the milling, repaving, and seal coating of the courts. This project did not include the fencing which needs to be addressed in future renovations. The estimate to fix the fence was \$108,000 in 2018. **We do not recommend court reconstruction at this time.**
- 2) Option 2: Repair the cracks. Most of the cracks are superficial but may lead to further problems down the line. Unfortunately, the crack on the basketball court is severe enough that work needs to be done to repair it before winter to prevent further damage to the courts. Smaller cracks will be filled in with a rubberized material and resurfaced. The crack on the basketball courts needs a more substantial repair called the Riteway system due to the severity of the damage. The RiteWay Crack Repair System uses an exclusive technology to waterproof existing cracks with an overlay system. By preventing water from penetrating into the newly repaired crack, the deterioration of that crack is significantly reduced. Thus, the long-term success of the new repair is assured. Cost: \$10,628.00

Vermont Tennis is the only company available to do this work as the largest tennis court construction/maintenance company in the entire Northeast. All other companies were not available until the spring.

Exeter Parks and Recreation is requesting to expend \$10,628 for Vermont Tennis to conduct a repair of court cracks from the Parks Improvement Fund. The available balance of the Park Improvement Fund is \$90,909.25 as of July 27th.

Motions:

To make a motion to allow the Parks and Recreation Department to expend \$10,628 out of the Parks Improvement Fund to contract Vermont Tennis for crack repair.

Respectfully Yours,

Greg Bisson

Director Exeter Parks and Recreation





New England Municipal Sustainability (NEMS) Network



TOWN OF EXETER

Planning and Building Department

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

www.exeternh.gov

Date: July 22, 2020

To: Russell Dean, Town Manager

From: Dave Sharples, Town Planner

Re: New England Municipal Sustainability (NEMS) Network

I am writing this memorandum to request to appear before the Select Board on Monday July 27, 2020 to discuss the Town's participation in the NEMS. Specifically, I am seeking the Board's support for me to join the NEMS

I became aware of NEMS recently and reached out to their Co-Chair Peter Britz in Portsmouth. Mr. Britz was gracious enough to hold a virtual meeting with NEMS members and myself last week and the enclosed invitation to join followed the meeting.

The NEMS network is "a consortium of municipal staff members from cities and towns across New England, formed in 2010, with the goal of enabling local governments across the region to learn from, support and help each other as they develop effective actions, policies and programs to advance sustainability." I have enclosed two documents from NEMS that provides a further description of the network and the protocol for members. As you will note, there are no fees or dues associated with this membership. There may be travel time and funding spent on conferences but this can be covered under the existing travel and training budgets of the Planning Department.

As I told the NEMS members on the call last week, I believe this network will be invaluable to the Town as we forge ahead toward a more sustainable future. I believe this is a great opportunity for the Town and would be happy to serve on NEMS on behalf of the Town of Exeter. I have included a sample motion below in the event the board wishes to support this endeavor and will be available to attend the meeting on July 27, 2020 at 7pm to present this information and address any questions the Select Board may have.

Motion: I move that the Select Board accept the invitation from the New England Municipal Sustainability Network, appoint Dave Sharples, the Town Planner, as the Town's representative, and authorize the Town Manager to sign the commitment letter on our behalf.

Thank You.

enc (3)

July 16th, 2020

Mr. David Sharples
Town Planner and Sustainability Coordinator for the Town of Exeter
10 Front St
Exeter, NH 03833

Re: Invitation to Join the New England Municipal Sustainability (NEMS) Network

Dear Dave,

This letter invites you, as a champion and leader in local sustainability, to become a member of the New England Municipal Sustainability (NEMS) Network. The NEMS Network is a consortium of engaged sustainability practitioners working within municipal governments, who are exchanging information, ideas, and experiences, and collaborating. Our vision is to create a sustainable New England by building strong connections among municipal professionals throughout the region, allowing members to accomplish more than would be possible alone.

Sustainability, as the NEMS Network approaches it, is understood broadly; it can address greenhouse gas reductions, energy, land-use planning and zoning, transportation, food, public health, housing, economic development, resilience, and many other concerns.

Attached are two documents with more information about the Network. The first is a NEMS Network Overview, which provides a snapshot of who we are and how we work. We have two levels of membership, "Active" and "Observer." The expectations and benefits for both types of members are outlined in detail in the attached Membership Protocols.

Active members are eligible to have costs for meeting attendance at least partially covered by the Network--which is actively engaged in fundraising to support convening and collaboration for Active members. They are also eligible to participate as part of the NEMS Network governance committees (e.g. the Steering or Development committees) if/as desired, and are recognized on the NEMS Network website (www.nemsnetwork.org). To be accepted as an Active Member, we ask that you provide a letter of commitment from your municipality's executive officer (i.e., mayor, town manager or other) articulating the town/city's commitment to sustainability, and designating you, and/or other appropriate individual/s, as the NEMS Network representative/s.

Observer members are welcome to participate in regular NEMS Network events, but are asked to cover their own costs for doing so. Observer members are not eligible to be members of NEMS governance committees. Observer members are not required to submit the letter of commitment from the municipal executive official and are not required to be from New England.

Neither level of membership involves any mandatory dues or fees at this time.

To move forward in becoming a member of the NEMS Network, please review the attached documents to familiarize yourself with the structure and function of the network and determine what degree of participation makes sense for you and your community. Then, please complete the following:

- A brief cover email stating your desire to participate as an Active or Observer member of the NEMS Network.
- (For Active membership status): A Letter of Commitment signed by your municipal executive officer. To support this step, we have attached a draft Letter of Commitment that you may tailor for your community, and provide as an attachment to the email above.
- This extensive survey (https://unh.az1.qualtrics.com/jfe/form/SV_6gmoP9b9idHvba5) about your local sustainability initiatives, goals, progress, priorities and challenges. It is likely to take between 30-40 minutes, and will be used to inform the Network's "Baseline Assessment" as well as its annual priority setting, work planning, and development efforts; for Active members it will also be used to populate a standard "Member Profile" to be shared on the NEMS Network website (www.nemsnetwork.org).

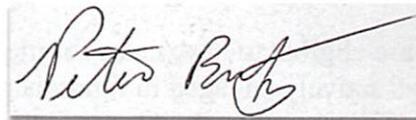
Please reply directly to this email with your statement of interest and (if applicable) Letter of Commitment. Of course, if you have any questions about the NEMS Network or membership benefits, please don't hesitate to be directly in touch. Once we receive the email, survey data and (if applicable) Letter of Commitment, the NEMS Steering Committee will take up your request for membership as an item for approval on its next monthly call.

We look forward to welcoming you to the NEMS Network. We truly believe that, by working together, we can successfully address the pressing sustainability challenges that we face—and we hope that you share our excitement!

With appreciation for your commitment and leadership,



Chris Mason
NEMS Network Co-Chair
Energy & Sustainability Officer
City of Northampton, MA



Peter Britz
NEMS Network Co-Chair
Environmental Planner/Sustainability Coordinator
City of Portsmouth, NH

Enclosures:

- 1) NEMS Network Overview
- 2) Membership Protocols
- 3) Customizable Letter of Municipal Commitment (for Active Members)

Overview: New England Municipal Sustainability (NEMS) Network

www.nemsnetwork.org

What is the NEMS Network?

A consortium of municipal staff members from cities and towns across New England, formed in 2010, with the goal of enabling local governments across the region to learn from, support and help each other as they develop effective actions, policies and programs to advance sustainability. The NEMS Network is a recognized Partner Network of the [Urban Sustainability Directors Network](#) (USDN). At present the Network has [19 active member communities](#)—leaders in sustainability in New England.

How does the NEMS Network define “sustainability” and what are its focus issues?

The NEMS Network approaches sustainability as defined by the World Commission on Environment and Development (“meeting the needs of the present without compromising the ability of future generations to meet their own needs”); this includes issues of greenhouse gas reduction, energy, land-use planning and zoning, transportation, food, public health, housing, economic development, resilience, and many other concerns.

Perhaps the most urgent shared priority issue for the Network is climate change. To that end, the NEMS Network has embarked on an initiative to ensure its members are equipped to meet the goals and framework of the [Global Covenant of Mayors for Climate and Energy](#). The NEMS Network is enthusiastic about aligning itself with this important global effort.

What are the NEMS Network’s goals?

- Provide peer-to-peer support and training
- Facilitate the sharing resources of information and “lessons learned”
- Identify opportunities for collaborating on pilot projects to help identify and spread best practices learned in pilot communities to the larger network
- Work to secure resources to support such collaborations and pilot projects
- Demonstrate and communicate the importance of leadership by local government in addressing climate change and other sustainability issues.

How does it seek to meet those goals?

The Network holds two in-person meetings and two conference calls or webinars each year. Meetings and conference calls/webinars focus on topics of concern identified by the group. Each meeting lasts 1 ½ - 2 days and includes significant networking and learning/training components. The Network strives to have at least half of the presentations by current members; this peer-to-peer learning is paramount for improving how projects are handled and is invaluable in the rapidly evolving field of sustainability.

In addition, through a partnership with the University of New Hampshire's Sustainability Institute, the NEMS Network deploys a number of [Sustainability Fellows](#) every summer to work on sustainability projects in and across member communities. In doing so, it is helping build and train the next generation of sustainability leaders, and building a base of valuable research, analysis and shared resources to support local sustainability efforts.

Finally, volunteer working groups and/or project teams of members focused on specific topic areas or projects of interest (e.g., air source heat pumps, energy benchmarking, resilience, zero waste, etc.) meet regularly to facilitate learning and collaboration between members related to those topics.

How is the NEMS Network governed and staffed?

The work of the Network, including development of meeting and call agendas, and identification and development of network-wide collaborative project opportunities and priorities, is guided by a seven-person volunteer Steering Committee (of members), which holds regular monthly calls. The Steering Committee has two co-chairs, who each serve a term of two years (with one rotating each year).

A volunteer Development Committee (of members), responsible for raising funds to support network activities (i.e. annual meetings, projects), also meets monthly.

Early on, the US Environmental Protection Agency-Region 1 provided technical support and coordination. In 2016, the University of New Hampshire's [Sustainability Institute](#) and the NEMS Network formed [a strategic partnership](#). Now UNHSI serves as the coordinating or "backbone" organization for the Network, providing administrative and program support for the Steering and Development Committees, and hosting one of the Network's two annual meetings.

How is the NEMS Network funded?

Past financial support for meetings and projects has come from the Institute for Sustainable Communities, The Barr Foundation, the Urban Sustainability Director's Network, the Summit Foundation and National Grid. In addition, support for UNHSI's work with the NEMS Network and for NEMS Network Sustainability Fellows comes from the Janes Trust Foundation.

Membership Protocols

New England Municipal Sustainability (NEMS) Network

Eligibility	
<u>Active members</u>	<u>Observer Members</u>
<i>Who:</i> Municipal staff whose work supports or drives some aspect of sustainability (e.g. environmental or land use planning, energy management, waste or recycling, etc)	<i>Who:</i> Municipal staff whose work supports or drives some aspect of sustainability (e.g. environmental or land use planning, energy management, waste or recycling, etc)
<i>Where:</i> One of the six New England states.	<i>Where:</i> New England, as well as other nearby states in the Northeast or mid-Atlantic.
<i>Process for joining:</i> Invited by co-chairs, based on nomination from existing member. Need to provide a statement of intent (i.e. Active Membership) and acknowledgement of expectations and benefits, Letter of Commitment from municipal executive official, and complete the NEMSN member survey .	<i>Process for joining:</i> Invited by co-chairs based on member nomination or self-directed inquiry. Need to provide a statement of intent (i.e. Observer Membership) and acknowledgement of expectations and benefits, and complete the NEMSN member survey .
<i>Criteria affecting acceptance of application:</i> Existing number of members from that state/region, availability of existing resources to support new members.	<i>Criteria affecting acceptance of application:</i> Size of network currently (limit number of Observer Membership to no more than 30% of the number of Active members)
Benefits of Membership	
<u>Active members</u>	<u>Observer Members</u>
<ul style="list-style-type: none"> - [If/as funding permits] All or most of the costs for participation in network events (e.g. lodging and meals at the bi-annual meetings) covered by the Network - Access to NEMS Network section of USDN website, a national portal for sharing resources, experiences and questions (e.g. ordinances, RFPs, practices) - Preferred access to UNH Sustainability Fellows to help complete the Expectations above, and/or to support other local sustainability projects (potentially without the need of matching \$, if/as funding permits) - The positive “peer pressure” that comes from being able to point to what fellow Network members in the region are doing 	<ul style="list-style-type: none"> - Ability to participate in Network events (at own expense) - Access to NEMS section of USDN website, a national portal for sharing resources, experiences and questions (e.g. ordinances, RFPs, practices) - Support for working toward greater local investment and commitment - Preferred access to UNH Sustainability Fellows to help complete the Expectations above, and/or to support other local sustainability projects (requires a \$3500 match)

<ul style="list-style-type: none"> - Opportunities to participate in collaborative projects with other Network members - New knowledge - Potential for greater regional influence - Building the profession - Recognition of leadership through inclusion as “Active Member” on website 	
Expectations of Members	
<u>Active members</u>	<u>Observer Members</u>
<ul style="list-style-type: none"> - Participation in network activities <ul style="list-style-type: none"> o Regular attendance at bi-annual meetings o Attend conference calls/webinar/s o Update member profile annually o Serve as a member of a committee or working group at some point o Host or help organize a meeting/webinar - Contribute to advancing network goal of meeting the aspirations outlined by the Global Covenant of Mayors <ul style="list-style-type: none"> o Work to complete/keep updated GHG inventory o Work to complete/keep updated Climate Action Plan o Work to complete/keep updated climate vulnerability assessment o Work to complete/keep updated climate resilience plan - Work toward getting sign-on by municipal official to the Global Covenant of Mayors on Climate and Energy 	<ul style="list-style-type: none"> - Participation in network activities <ul style="list-style-type: none"> o Attend bi-annual meetings o Participate in webinar/s o Update NEMS Network survey annually
Financial Contributions	
<u>Active members</u>	<u>Observer Members</u>
<p>No set dues or fees, but may be asked to cover partial costs of participation if the Network does not have budget for subsidizing these fully.</p>	<p>No set dues or fees, but expected to cover all of own costs of participation</p>

Updated July 2018

COVID 19 Updates



EXETER PARKS & RECREATION

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TOWN OF EXETER - MEMORANDUM

TO: Russ Dean, Town Manager
CC: Melissa Roy, Assistant Director
James Murray, Health Officer
FROM: Greg Bisson, Director of Parks and Recreation
RE: Farmers Market Audit
DATE: 08/10/2020

James Murray (Exeter Health Officer), Melissa Roy (Assistant Recreation Director), and I met with representatives from the Seacoast Growers Association those responsible for the Exeter Farmer's Market on Tuesday, August 11th as well as Wednesday, August 12th, to review the state/local restrictions and guidelines for outdoor events. The Farmer's Market ensured that they had been doing their due diligence to follow all the guidelines and emphasized their desire to follow any restrictions the Town required.

On August 13th, we conducted a market audit to confirm the restrictions and guidelines were being followed.

Observations, August 13, 2020:

Attendance: Covid-19 has reduced the number of patrons at the Farmer's market. It was evident in observing the markets at two separate times.

- 18 vendors were in attendance with a car separating each vendor. Typically pre-COVID-19, the market would have 30. All vendors were wearing face coverings.
- 2:30 pm, there were approximately 86 patrons socially distancing and wearing face coverings.
- 4:45 pm, there were approximately 54 patrons socially distancing and wearing face coverings.
- Swasey Parkway remains open to the public, which does not seem to interfere with the market nor the use of the parkway.

Markings/Flow: The Farmer's Market placed markings on the pavement with chalk creating lanes for people to correctly social distance while providing a good flow for people walking the market. In addition, the market placed multiple six foot markings for each patron to adhere to the social distancing requirement.

Suggested Modifications:

Signage: The market was instructed to increase signage encouraging patrons to social distance and requiring face coverings to comply with the Governor's new executive order requiring face coverings for gatherings over 100 people. The Farmer's Market has agreed to post more signage.

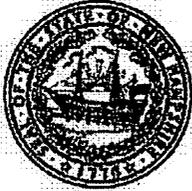
Location: The market was instructed to push the entire market down the parkway to allow for a better market flow. The Farmer's Markets agreed to start the market down the parkway. The market was instructed to place the Market Manager's tent at the front where extra masks are readily available for patrons.

Isolation Area: The market was instructed to set up an isolation area away from patrons and vendors if one of their vendors didn't feel well. It was determined that it would create a dangerous situation to remove a vendor's vehicle and booth during the market duration.

Documentation: The market was instructed to document any negative interactions the market manager may have with any patrons, not adhering to the restrictions. Since the park is open to the public, there may be a case in which someone may not adhere to the restrictions the market needs to follow. The Market Manager will submit weekly updates to James Murray.

It is our opinion that the Farmer's Market is complying with the restrictions and guidelines set forth by the state and local government.

Respectfully Yours,
Greg Bisson
Director Exeter Parks and Recreation



**STATE OF NEW HAMPSHIRE
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CHRISTOPHER T. SUNUNU
Governor

**STATE OF NEW HAMPSHIRE
BY HIS EXCELLENCY
CHRISTOPHER T. SUNUNU, GOVERNOR**

Emergency Order 63 Pursuant to Executive Order 2020-04 as extended by Executive Orders, 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, and 2020-16

An order requiring face coverings for certain scheduled gatherings of 100 or more individuals

WHEREAS, on Friday, March 13, 2020, the President of the United States declared a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak. This declaration remains in effect as of the date of this Executive Order; and

WHEREAS, on Friday, March 13, 2020, the Governor issued Executive Order 2020-04, an order declaring a state of emergency due to the Novel Coronavirus (COVID-19); and

WHEREAS, on June 15, 2020, the Governor issued Emergency Order 52, that transitioned from a Stay at Home Order to a Safer at Home Advisory, and that modified many of the restrictions on businesses, places of worship, and other places of commerce or gathering to allow them to continue to transition to full re-opening while limiting the risk of multiplying the spread of COVID-19 in New Hampshire; and

WHEREAS, the CDC anticipates that while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have more serious symptoms and require hospitalization, particularly individuals who are elderly or have underlying chronic health conditions; and

WHEREAS, the CDC reports that COVID-19 is most commonly spread from an infected person to others through respiratory droplets, including:

- Between people who are in close contact with one another (within about 6 feet);
- Through respiratory droplets produced when an infected person coughs, sneezes, or talks;
- When the droplets land in the mouths or noses of people who are nearby or are possibly inhaled into the lungs; or
- By people who are not showing symptoms but who are infected with COVID-19.

WHEREAS, the CDC reports that COVID-19 is spread mainly from person to person, that COVID-19 is currently spreading very easily and sustainably, that COVID-19 is spreading more

efficiently than influenza, and that the best way to prevent illness is to avoid being exposed to COVID-19 by taking the following steps:

- Maintain good physical distance (about 6 feet);
- Wash your hands often with soap and water, and if soap and water are not available, use a hand sanitizer that contains at least 60% alcohol;
- Routinely clean and disinfect frequently touched surfaces; and
- Cover your mouth and nose with a cloth face covering when around others.

WHEREAS, as of August 5, 2020, states neighboring New Hampshire have reported significant numbers of COVID-19 cases: Massachusetts has reported 111,033 confirmed positive cases and 8,436 deaths, Rhode Island has reported 19,481 positive cases and 1,012 deaths, and Connecticut has reported 50,110 positive cases and 4,437 deaths; and

WHEREAS, many individuals who attend large gatherings in New Hampshire come to this State from Massachusetts, Rhode Island, and Connecticut; and

WHEREAS, on August 3, 2020, Dr. Fauci stated, during an interview with Dr. Howard Bauchner, the editor of the *Journal of the American Medical Association*, that the United States continues to see 50,000 to 60,000 new cases of COVID-19 and 1,000 deaths per day, suggesting that the country is “right in the middle of the first wave,” and that it is crucial that the outbreak be contained before autumn, when influenza cases are likely to spike alongside COVID-19 and when more people begin to move indoors, increasing the risk of contagion; and

WHEREAS, social distancing is most difficult at large gatherings, and the CDC states that wearing masks is most important when social distancing is difficult.

NOW THEREFORE, Pursuant to Section 18 of Executive Order 2020-04, as extended by Executive Orders 2020-05, 2020-06, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15 and 2020-16, it is hereby ordered, effective immediately, that:

1. Face coverings shall be required for all persons who attend or are otherwise present at the following activities that take place within the State of New Hampshire:

Scheduled gatherings of 100 people or more for social, spiritual, and recreational activities, including, but not limited to, community, civic, public, private, leisure, faith based, political, or sporting events; parades; concerts; festivals; conventions; fundraisers; and similar activities; where individuals are gathered in the same place at the same time.

2. The requirements of Paragraph 1 shall not apply to the following:

- (a) Scheduled gatherings where attendees are seated and separated by at least 6 feet from any person except those that are (i) a member of that person’s household, or (ii) part of that person’s party, or, (iii) assigned to that person’s table. For scheduled gatherings subject to this exception provision, attendees must wear face coverings while entering and exiting the gathering and while moving to and from their seats.

- (b) Day-to-day operations of for profit or not for profit organizations and State and local governments, including K-12 schools, where 100 or more people may be present in a facility.
 - (c) Children under the age of 2.
3. Events, activities, or individuals that are covered by Paragraph 1 shall continue to comply with any applicable guidance issued pursuant to Emergency Order 52, as extended by Emergency Order #61.
 4. Any entity, property owner, facility owner, or person that organizes or allows its property/facility to be used for a scheduled gathering of 100 or more people shall make reasonable efforts to ensure compliance with this Order. It shall constitute a violation of this Order if any such entity, property owner, facility owner, or person (a) knowingly violates this Order, or (b) refuses to comply with a prior warning about the requirements set forth in this Order.
 5. The Division of Public Health and State or local police shall have the authority to enforce this Order.

Given under my hand and seal at the Executive Chambers in Concord, this 11th day of August, in the year of Our Lord, two thousand and twenty, and the independence of the United States of America, two hundred and forty-four.



GOVERNOR OF NEW HAMPSHIRE



**STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR**

CHRISTOPHER T. SUNUNU
Governor

**STATE OF NEW HAMPSHIRE
BY HIS EXCELLENCY
CHRISTOPHER T. SUNUNU, GOVERNOR**

Emergency Order #65 Pursuant to Executive Order 2020-04 as extended by Executive Orders, 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, and 2020-16

An order authorizing assessments of civil penalties against businesses, organizations, entities, property owners, facility owners, organizers, and individuals who violate emergency orders

WHEREAS, on Friday, March 13, 2020, the President of the United States declared a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on Friday, March 13, 2020, the Governor issued Executive Order 2020-04, an order declaring a state of emergency due to the Novel Coronavirus (COVID-19); and

WHEREAS, the Governor issued Executive Orders 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, extending the State of Emergency declared in Executive Order 2020-04; and

WHEREAS, RSA 4:45, RSA 4:46, RSA 4:47, and RSA 21-P authorize the Governor to issue orders to perform and exercise any functions, powers, and duties necessary to promote and secure the safety and protection of the people of New Hampshire; and

WHEREAS, on June 15, 2020, the Governor issued Emergency Order 52, an order issuing public health guidance for the operation of businesses and organizations and advising Granite Staters that they are safer at home, which contained the Safer at Home plan enabling the State to continue to take steps to gradually re-open New Hampshire's economy in multiple phases; and

WHEREAS, on July 31, 2020, the Governor issued Emergency Order 61, an order extending Emergency Order 52; and

WHEREAS, New Hampshire State Epidemiologist Dr. Benjamin Chan has determined that, while New Hampshire's mitigation strategy has been effective in controlling the spread of COVID-19, community mitigation has been and continues to be critically important; and

WHEREAS, Dr. Chan and Dr. Anthony Fauci advise that relaxing community mitigation efforts risks additional COVID-19 outbreaks; and

WHEREAS, on May 29, 2020, the U.S. Supreme Court observed that "[t]he precise question of when restrictions on particular social activities should be lifted during the [COVID-19] pandemic is a dynamic and fact-intensive matter subject to reasonable disagreement," and stated that "[o]ur Constitution principally entrusts the safety and health of the people to the politically accountable officials of the States

to guard and protect,” *South Bay United Pentecostal Church, et al., Applicants v. Gavin Newsom, Governor of California, et al.*, No. 19A1044, 590 U.S. ___ (2020), at 3 (Roberts, C.J., concurring); and

WHEREAS, New Hampshire’s courts have recognized that the COVID-19 pandemic justifies the Governor’s declaration of a State of Emergency and the restrictions placed on New Hampshire’s citizens, businesses, and other organizations through the Emergency Orders. *See Binford, et al. v. Sununu*, Merrimack Cty. Super. Ct., 217-2020-CV-00152 (March 25, 2020) (Kissinger, J.), at 7-9; *Devine v. Sununu*, Rockingham Cty. Super. Ct., 218-2020-CV-00602 (June 18, 2020) (Schulman, J.); *Cooper v. Sununu*, Hillsborough Cty. Super. Ct., Southern Dist., 2020-CV-00266 (July 13, 2020) (Colburn, J.), at 15; *Athens v. Sununu*, Cheshire Cty. Super. Ct., 213-2020-CV-00104 (July 14, 2020) (Ruoff, J.), at 6-7; and

WHEREAS, the COVID-19 pandemic continues to affect New Hampshire citizens and there is a continued need to take significant precautions. New Hampshire’s actions to date appear to have succeeded in stabilizing the rate of increase in cases of COVID-19; and

WHEREAS, the Department of Health and Human Services (DHHS) has long-standing authority, under RSA 141-C and RSA 147, and their applicable rules, to establish regulations related to public health, including communicable diseases, and nuisances as the health and safety of the citizens of New Hampshire require. DHHS implements this authority through its staff and working with local health officers and other agencies to investigate all nuisances and other causes of danger to the public health and to enforce the health and sanitation laws and regulations in New Hampshire; and

WHEREAS, in accordance with RSA 128, RSA 141-C, and RSA 147, local health officers are authorized to investigate, including inspecting sites on public and private property without the consent of the owners, all nuisances and other causes of danger to the public health; and

WHEREAS, the State has authorized DHHS, Division of Public Health, and local and state police to enforce certain Emergency Orders; and

WHEREAS, the State must have enforcement mechanisms in place to ensure compliance with and to respond rapidly to violations of the Emergency Orders.

NOW, THEREFORE, Pursuant to Section 18 of Executive Order 2020-04 as extended by Executive Orders 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, and 2020-16, it is hereby ordered, effective immediately, that:

1. Violations of any Emergency Order, rule, or regulation issued under the State of Emergency are subject to the penalty provision under RSA 21-P:47.
2. Violations of any Emergency Order, rule, or regulation issued under the State of Emergency are subject to injunctive action brought by the State seeking compliance.
3. Any business, organization, entity, property owner, facility owner, organizer, or individual that recklessly violates any Emergency Order, rule, or regulation issued under the State of Emergency shall be subject to civil penalties of up to \$1,000 for each violation or day that a violation continues.
4. The attorney general shall have authority to notify suspected violators of any Emergency Order of the state's intention to seek a civil penalty or take any other enforcement action, to negotiate, and to settle with such suspected violators without court action.

5. The Division of Public Health (DPH), working through its staff or local health officers, shall take necessary enforcement actions for violations of the Emergency Orders, including imposing civil penalties or immediately closing an event, activity, business, entity, organization, facility, or property.

6. Civil penalties may be imposed for the following:

- a. Failure to comply with any Emergency Order, rule or regulation issued under the State of Emergency and enforced by DPH; the fine shall be \$2,000 per day;
- b. Failure to cooperate in an investigation of a potential violation of an Emergency Order, the fine shall be \$1,000 per day;
- c. Failure to cease operations upon notification of DPH to do so, the fine shall be \$1,000 per day; and
- d. Failure to comply with DPH instructions after notification of a positive COVID-19 test result, the fine shall be \$1,000 per day.

7. When imposing a civil penalty or immediately closing an event, activity, business, organization, entity, facility, or property, DPH shall send or deliver to the entity, business, organization, property owner, facility owner, individual, or organizer of an event or activity to be used in violation of an Emergency Order a written notice that sets forth:

- a. The action being taken by DPH;
- b. The reasons for the action, including the identification of each violation as applicable; and
- c. The ability of the entity, business, organization, property owner, facility owner, individual, or organizer an event or activity to request a hearing.

Given under my hand and seal at the Executive Chambers in Concord, this 13th day of August, in the year of Our Lord, two thousand and twenty, and the independence of the United States of America, two hundred and forty-four.



GOVERNOR OF NEW HAMPSHIRE

Tax Abatements, Veterans Credits & Exemptions

Permits And Approvals

Correspondence

August 7, 2020

To The Selectboard,

The Swasey Parkway Trustees had a site walk meeting on Wednesday 7/29/2020 and a discussion ensued with the Trustees and the Selectboard representative about the closing of the roadway at the Parkway. After some discussion the Trustees came to an agreement that the Trustees would like the Board to vote to keep the roadway closed until November 1, 2020. The Trustees would also like the Board to close the road every year from at least April 1 to November 30 and longer if possible. If not possible would the Board consider voting to make the road one way for the time it is open.

The Trustees support the closing and we think that it has enhanced the use of the Parkway during this time and has brought more enjoyment to the people who have been able to use it.

Thank you for your consideration in this request.

Swasey Parkway Trustees:

Dwane Staples, Chair

Mark W. Damsell

David Short



August 21, 2020

Town of Exeter Select Board
10 Front St
Exeter, NH 03833

Dear Members of the Exeter Select Board,

Please accept this letter in support of a mandatory mask order for the Town of Exeter. The Chamber supports a mandatory mask order because:

- The health and safety of our communities is our highest priority. Keeping our community healthy is critical to keeping our businesses open- which is vital to the economic health of the region.
- Masks and face coverings have proven to be effective in minimizing the spread of COVID-19 which is why the CDC recommends that people wear masks in public settings, especially when it is difficult to maintain a safe social distance.
- A recent survey from the Small Business Development Center shows that Seacoast businesses are more likely than respondents from other regions to believe renewed access to customers, health and safety guidance, and regulatory relief will be important to their business in the future. If the rate COVID-19 infection increases and businesses close again, the impact to our local businesses will be significant and potentially catastrophic.

We look forward to working together on getting the message out to businesses and consumers that the Exeter area is ready, safe and open for business; and we applaud the Select Board for their thoughtful consideration of this important order that helps ensure the continued health of Exeter and surrounding communities.

Regards,

A handwritten signature in black ink, appearing to read "Jennifer Wheeler". The signature is fluid and cursive.

Jennifer Wheeler, President
Exeter Area Chamber of Commerce



Fwd: mask mandate

1 message

Molly Cowan <mcowan@exeternh.gov>

Mon, Aug 10, 2020 at 9:12 AM

To: Russ Dean <rdean@exeternh.gov>, Pam McElroy <pmcelroy@exeternh.gov>

Hi Russ and Pam -

Susan asked that I share this with other members of the SB. Passing it on to you.

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

From: **Susan Gorman** <susan@susangorman.net>

Date: Sat, Aug 8, 2020 at 3:25 PM

Subject: mask mandate

To: <mcowan@exeternh.gov>

Hi Molly,

Feel free to share this email with the rest of the selectboard.

I am in favor of a mask mandate in town. I wear a mask any time I am indoors in a shop and anywhere outside on the sidewalk if I can't control whether I'll be able to be 6 feet away from anyone I come into contact with.

I've been avoiding businesses in town that don't enforce guidelines for distancing, customer density, and masking. I'm not sure why such simple precautions feel like an infringement to some people, for me it is one very simple yet effective thing I can do to ensure I'm doing my bit to protect the people I come across.

It's been saddening to watch the unfortunate hold magical thinking has over many people in Exeter. This is not the time to be having large gatherings or pretending a serious outbreak couldn't happen here.

Susan Gorman

--

Please note my new (and only) email address is susan@susangorman.net



Russ Dean <rdean@exeternh.gov>

Fwd: Mask Mandate Objection

1 message

Niko Papakonstantis <npapakonstantis@exeternh.gov>
To: Russ Dean <rdean@exeternh.gov>

Fri, Aug 21, 2020 at 9:00 AM

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

From: **Ray Cardello** <rjcardellojr@comcast.net>

Date: Fri, Aug 21, 2020 at 4:46 AM

Subject: Mask Mandate Objection

To: <NPapakonstantis@exeternh.gov>, <DBrowne@exeternh.gov>, <mcowan@exeternh.gov>, <jgilman@exeternh.gov>, <lolliff@exeternh.gov>

Good Morning,

I am writing to you to voice my opposition to the Mask Mandate ordinance that you have been discussing and are looking to vote on on August 24th. I watched your Select Board Zoom Meeting last Monday and was totally dismayed by what I saw and heard from nearly all of the Board Members. This topic, to me, is about personal responsibility and choice. The fact that you are looking to create a piece of law to govern it for the Town of Exeter is an overreach of power and needs to be reconsidered. I heard many thoughts being put on the table such as modeling a policy for Exeter based on that in place or being considered by towns such as Hanover, Portsmouth, Durham or Dover. Frankly I do not care what those towns are doing and based on their demographics as college towns or larger cities makes their needs far different than any that may be applicable to Exeter and that is if it should even be in your power to consider and implement such a mandate. The tipping point for me was when I heard Molly Cowan give her soliloquy referring to the need of the Board to be "Its brothers keeper". That is astounding and insulting. Where does the purpose of the Board ever state that that is what you are tasked to do? The mere comment is appalling and shows how ludicrous and needless this discussion and possible mandate is. Businesses have been overly restricted or shut down for over five months. They do not need to have further burdens placed on them to police the public to wear masks in order to enjoy their services. You cited CDC guidelines but no testimony from your side as to the fact that masks are in fact helpful in the containment of Covid-19. I did hear one Doctor call in during public comments to say just the opposite but his comments were dismissed. You are out of bounds in your effort to "protect" businesses by making the decision for them. You are out of bounds telling the residents of Exeter what they need to do because they are not wise enough to make the right decision and you are after all their "keeper". I wear a mask where I am asked to do so and do not wear one otherwise. That is not out of disrespect for others but out of respect for the fact I am free to make that choice. At 66 years of age, I have earned that choice and do not need to be told how to act by an elected board that wants to be our keepers rather than our representatives. Do what you are tasked in managing the operation of this town but do not go too far that your are dictating personal activity and that is exactly what a Mask Mandate would do. Table or vote NO on any such mandate.

Ray Cardello
18 Linden Street
Exeter, NH

617.908.3711



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

The Town of Exeter, New Hampshire
Attn: Russell Dean, Town Manager
10 Front Street
Exeter, NH 03833

Re: Public Works/Water Treatment Plant
13 Newfields Road, Exeter, NH
PWS #0801010

**NOTICE OF COMPLIANCE
FOR
ADMINISTRATIVE ORDER
No. 17-004 WD**

August 10, 2020

The New Hampshire Department of Environmental Services (“NHDES”) issued Administrative Order No. 17-004 ARD, on April 14, 2017 (the “Order”) to, and with the consent of the Town of Exeter, based on violations of RSA 485 and the Drinking Water Rules at a public water system located at 13 Newfields Road in Exeter, New Hampshire. Based on DES’ determination that compliance with the Order has been achieved, DES issues this Notice of Compliance for the Order.

This Notice does not release any party from liability for penalties to which they may be subject for violations identified in the Order.

Robert R. Scott, Commissioner
Department of Environmental Services

cc: DES Legal Unit

ec: Public Information Officer, DES PIP Office
K. Allen Brooks, Chief, AGO-Environmental Protection Bureau
Eric Skoglund, NHDES Water Division, Drinking Water and Groundwater Bureau
Jennifer Perry, Director of Public Works, Town of Exeter
Paul Roy, Water Systems Operator
Exeter Health Officer
USEPA Region 1

Town Manager's Office

AUG 12 2020

Received

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • TDD Access: Relay NH 1-800-735-2964



Pam McElroy <pmcelroy@exeternh.gov>

Reminder to use revised mail-in ballot request forms?

2 messages

Enna Grazier <enna_grazier@yahoo.com>

Sun, Aug 16, 2020 at 4:49 PM

To: Russ Dean <rdean@exeternh.gov>, Julie Gilman <jgilman@exeternh.gov>, mollycowannh@gmail.com, lovey.oliff@gmail.com, Niko Papakonstantis <NPapakonstantis@exeternh.gov>, dbrowne@exeternh.gov, Pam McElroy <pmcelroy@exeternh.gov>

Dear Members of the Selectboard,

I heard from a neighbor that the town clerk's office is giving out the original mail-in ballot request forms (not the revised ones that include both upcoming election dates and covid-19 as the reason for requesting the ballot). I understand that the original form is still acceptable. However, I am concerned that the original form may be confusing to voters. I am hoping that even if paper copies of the original form have been produced, the town clerk can be directed to not use those, and instead to give the copies with both upcoming election dates and the Covid-19 check boxes.

Thank you,

Enna Grazier

8 Warren Ave., Exeter NH



Town Manager's Office

AUG 20 2020

Received

August 14, 2020

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

Re: Programming Updates & Internet Essentials Information

Dear Chairman and Members of the Board:

We are committed to keeping you and our customers informed about changes to Xfinity TV services. Accordingly, please note the following changes which will occur on August 25, 2020, to the Xfinity lineup¹, provided in your community:

- Cooking HD, Discovery Family HD, DIY HD, Galavision HD, Ovation HD, POP HD, Smithsonian HD, Zona Futbol, and Zona Futbol HD will be added to the Digital Preferred Tier; WGN America HD will be added to Entertainment and Expanded Basic; CSPAN HD will be added to Limited Basic; Smithsonian HD will be added to Digital Economy; Galavision HD, Zona Futbol and Zona Futbol HD will be added to Xfinity TV Latino. These channels will continue to be available in standard definition (SD) format in other channel locations. HD channels require HD Technology Fee and X1 TV Box or compatible customer owned device.

Also I want to make sure you are aware that Comcast continues to make it easier for low-income families to connect to the internet through [Internet Essentials](#). New Internet Essentials customers will receive two free months of Internet service if they enroll in the program by December 31, 2020. Additional information can be found at <https://www.internetessentials.com/>. Should you or any of your community partners like to discuss the Internet Essentials program in more detail, please do not hesitate to contact me at Thomas_Somers@cable.comcast.com or 603.334.3603.

Very truly yours,

Jay Somers

Jay Somers, Sr. Manager
Government Affairs

V1

¹ Customers are receiving notice of these changes in their bill.