

**Select Board Meeting**  
**Monday, October 26<sup>th</sup>, 2020, 7:00 p.m.**  
**Via ZOOM**

Virtual meetings can be viewed on Channel 22 and Exeter TV's YouTube and Facebook pages.  
To access the meeting, click this link: <https://exeternh.zoom.us/j/85993228098>  
To access the meeting via telephone, call: +1 646 558 8656 and enter the Webinar ID: 859 9322 8098  
Please join the meeting with your full name if you want to speak.  
Use the "Raise Hand" button to alert the Chairperson you wish to speak. On the phone, press \*9.  
More access instructions found here: <http://www.exeternh.gov/townmanager/virtual-town-meetings>

**AGENDA**

1. Call Meeting to Order
2. Board Interviews
3. Public Comment
4. Proclamations/Recognitions
  - a. Proclamations/Recognitions
5. Approval of Minutes
  - a. Regular Meeting: October 19<sup>th</sup>, 2020
6. Board and Committee Appointments – Exeter Police Stakeholders
7. Discussion/Action Items
  - a. Election Updates – Town Moderator, Supervisor of Checklist
  - b. Communications Committee Survey Update
  - c. Police Chief Stephan Poulin re: NH Police Accountability Report
  - d. Riverwoods Tax Agreements 2020
  - e. Groundwater Exploratory Test Well Drilling Update
  - f. Mask Ordinance Extension
  - g. COVID 19 Updates
8. Regular Business
  - a. Tax Abatements, Veterans Credits & Exemptions
  - b. Permits & Approvals
  - c. Town Manager's Report
  - d. Select Board Committee Reports
  - e. Correspondence
9. Review Board Calendar
10. Non-Public Session
11. Adjournment

Niko Papakonstantis, Chair  
Select Board

Posted: 10/23/20 Town Office, Town Website  
Persons with a disabling condition may request an accommodation to attend this meeting with 72 hours notice.  
AGENDA SUBJECT TO CHANGE

## Minutes

**Select Board Meeting  
Monday October 19, 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 6:50 PM.

**Mr. Papakonstantis read a statement:**

As Chair of the Select Board, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 this public body is authorized to meet electronically.

On Friday, October 16, 2020, public notice of this meeting was posted on the town website and on the bulletin board of the town offices at 10 Front Street. As provided in that public notice, the public may access the meeting online and via phone.

Please note that all votes taken during this meeting shall be done by roll call vote. Let's start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during this meeting and who that person is (son, daughter, spouse, etc...), which is required under the Right-to-Know law.

**2. Board Interviews – Exeter Police Stakeholders Committee**

- a. Tanisha Johnson was interviewed for the EPSC.

**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**

- a. Regular Meeting: September 28, 2020

**MOTION:** Ms. Gilman moved to approve the minutes of September 28, 2020 as presented. Mr. Browne seconded. By a roll call vote, all were in favor.

- b. Regular Meeting: October 5, 2020

**MOTION:** Ms. Oliff moved to approve the minutes of October 5, 2020 as presented. Mr. Browne seconded. By a roll call vote, all were in favor.

**6. Appointments**

**MOTION:** Mr. Browne moved to accept Lindsay White's resignation as an alternate on the Conservation Committee, effective Nov 30, 2020. Ms. Gilman seconded. By a roll call vote, all were in favor.

7. Election Update

Paul Scafidi and Vicky Nawoichyk discussed the upcoming election. Mr. Scafidi said that over 4,500 absentee ballots were sent out, and 3,600 have been returned already. On Friday October 30, they will be pre-processing the absentee ballots in the Nowak Room in the Town Offices. People can come observe, and a registered challenger can make a challenge if they have good reason. For the next election, they will not be changing anything from the primary, as they felt that everything worked well. They're looking at 80% of the 14,000 registered voters voting, whether in person or absentee. Ms. Nawoichyk discussed registration and the ability to register on election day. Mr. Scafidi said he doesn't expect any disruption at the polls. Ms. Cowan asked what date you can no longer register prior to November 3, and Ms. Nawoichyk said Tuesday October 27th, when the supervisors of the checklist finish approving the applications. Mr. Scafidi said the absentee ballot can be filled out on the day of the election. Mailed ballots have to be in by 5 PM on Tuesday, November 3rd; voters can also hand-deliver absentee ballots at the election.

Mr. Scafidi said they've had issues with about 15 absentee ballots, but they have reached out to the voters to correct the issue. Ms. Cowan asked if they still need volunteers, and Mr. Scafidi said quite a few people have already come forward, but people can leave their names with the Town Clerk.

8. Discussion/Action Items

a. Black Lives Matter

Tanisha Johnson and Clifton West Jr. of Black Lives Matter Seacoast gave a presentation. Ms. Johnson said they want to create change and encourage accountability. The justice system is not treating black people fairly. They want to see change not just at the higher levels but down to the Select Boards. She brought up recent events in Hampton where a Select Board member said unethical things, but the rest of the Hampton Select Board said she can't be voted out. She wants to make sure that the Exeter Select Board is held accountable for their actions as well. Exeter has two people of color on the Board and they're treated unfairly at times. Black Lives Matter wants the Board to update the code of conduct to prohibit town employees from irresponsible or biased conduct in person or on social media. Mr. West said that they are seeing change in all areas of life, and law enforcement and how they approach policing need that same type of innovation. They want to bring trust back into the community for Police officers and engage with social services. He suggested they implement a citizen's review board for law enforcement, as people don't trust police to investigate other police officers. This group would bridge the gap between civilians and law enforcement.

Mr. Browne asked if they've presented this to other towns already. Ms. Johnson said about a month ago they had a rally. Several government officials signed the pledge to work on these demands. Policies and procedures made long ago may no longer apply. The current rules were built on systemic racism.

It's time for a change. Their pledge was sent to Hampton, as they're talking to the Chief of Police there and in surrounding towns. Mr. West said that House Reps and City Counselors from Rochester have signed. Ms. Gilman asked for clarification on who this was addressed to, as she is a State rep and didn't see it, and Ms. Johnson said they addressed it to Chiefs of Police but others reached out to them. Ms. Cowan said she would like to hear more about how they are not treating the members of the Board fairly as she wants to address that issue.

Mr. Papakonstantis asked about the current code of conduct for town representatives on social media. Mr. Dean said the town has a comprehensive policy against harassment, which includes race, color, sex, pregnancy, national origin, sexual orientation, or veteran's status. There's a social media policy for the town, and one for employees which prohibits employees from any postings on their personal pages that violate any laws or policies of the town, including harassment. Ms. Johnson said that policy doesn't capture a lot of things that are happening right now, and should be updated. Mr. Dean said they are very open to that.

Mr. Papakonstantis said he would like to speak with the representatives again via Zoom to go over their points and discuss their concerns about the Select Board's actions.

b. Annual Agreements Riverwoods

i. Mr. Dean discussed the yearly taxation agreement statements.

MOTION [withdrawn]: Ms. Gilman moved that the Board enter an agreement with Riverwoods for the tax commitment for The Woods. Mr. Browne asked if they are a for-profit entity and if their rates have gone up. Mr. Dean said he believes they're a non-profit. He doesn't know of any rate increases. Mr. Browne asked what would happen if they didn't sign, and Mr. Dean said he's not sure, but he can bring back more information. Riverwoods is one of the top two taxpayers in town so they wouldn't want them not to pay.

Ms. Gilman withdrew her motion.

c. Blue Bag Discussion

Ms. Oliff asked Jennifer Perry, Director of Public Works, about the town trash bags. She's heard there are issues getting access to them because they are sold out in some stores, as well as concerns about the integrity of the bags and their cost. Ms. Perry said she and Jay Perkins met with the blue bag vendor recently because of complaints about the bags breaking. If this happens, residents should return them to the store where they can be swapped for new ones, or bring them to Public Works. Regarding the cost, the bags were intended to partly subsidize the cost of the waste program; they cover about 60% of the \$1M waste program. Ms. Oliff said she'd like to see the town implement a composting program and address the cost of disposing waste. Mr. Dean said that solid waste budget 2021 was \$1.135M. The last blue bag rate increase was in 2018, and before that in 2009, while solid waste costs had increased exponentially. They can keep working to see if there are other alternatives.

d. Kingston Road Project

Ms. Perry discussed the Kingston Road project. This was funded 80% through NHDOT with a transportation alternatives (TAP) grant, and the town is paying 20%. These are not quick turnaround projects; they've been working on this since 2015. After neighborhood meetings, it was determined there should be a sidewalk component. They went back to voters in 2017 to extend the timeline and increase the cost. The preliminary design was complete in January 2018, and they received a notice to proceed by NHDOT in March 2018. The final design was submitted in April 2019 and approved in August 2019, but they were still awaiting wetlands permits. They started the easement procurement process in late 2019, when letters were sent to property owners. They were pushing up against the DOT deadlines in early September. Their next time in the queue is the state's fiscal year 2023, i.e. October 2022. They will extend the timeline via the town warrant article to go beyond 2023.

Laura Knott of 15 Tamarind Lane asked what happened between March of 2018 when the preliminary design was approved and April 2019 when the final design was submitted. Ms. Perry said that's a longer timeline than you might expect for a project of this scale, but a TAP grant must go through all approvals and permitting before submittal. Ms. Knott asked about where the tax money went. Ms. Perry said the moneys appropriated through a warrant article are dedicated to this project. Ms. Knott said the costs increased between 2015 and 2017, so who will pay the increased costs for 2023? Ms. Perry said inflation was rolled into this project. She confirmed earlier with the engineering team that the costs were still relevant. Ms. Knott said she would like to see them move forward with this as quickly as possible. Mr. Papakonstantis asked Mr. Dean to provide regular updates on this project. Ms. Knott asked if the town does not vote to extend the deadline, what happens to the money already appropriated? Ms. Perry said the warrant article is only to extend the authorization of the project, nothing else will be changed. Mr. Dean said if the appropriation did lapse, since they've already raised the money, they can transfer it from fund balance for this purpose.

e. Water Restrictions - Town Ordinance Updates

Ms. Gilman read the changes for the final time:

Chapter 16:10 Water Use Restrictions. Amend 16:10.1 to update the "Board of Selectmen" to read "Select Board." In 16:10.3, residential is crossed out, and the restriction now applies to all well users in town. In 16:10.8, we are changing c and adding d, "The grass playing turf of a recreational field, the grass playing surfaces of a golf course, and grass agricultural fields including sod production, may be excluded from the requirements of 16:10.2.

**MOTION:** Ms. Gilman moved to approve the water restrictions amendment as read by Ms. Gilman. Ms. Gilman seconded. By a roll call vote, all were in favor.

f. COVID 19 Updates

- i. Eric Wilking, the Fire Chief, said they continue to monitor the State numbers. The latest numbers are concerning; there's still less than a 1%

positive rate, but almost a thousand people tested positive over a 2 week span, including 10 Exeter residents; the town total is now at 76. The Governor took action last Thursday to suspend all youth hockey, and Mr. Murray continues to watch for town "hot spots." The FD has seen an uptick in Covid related calls. They've been using PPE over the last month more quickly than all summer. They believe the state will still be able to fulfill PPE orders. They're looking forward to assisting with the election. Fire, Police, and Parks and Rec are collaborating on the Halloween parade on October 31st.

- ii. Greg Bisson, the Parks and Rec Director, said they had to pause sports programs due to possible exposure last week, but they're up and running again now. They had to cancel the drive-in movie last Saturday due to high winds. Ms. Roy has been working with Police, Fire, and the High School Student Council on the parade. She's working on the route now. They sent a mass email with restrictions and guidelines for trick or treating, as well as posting about it on social media sites and in the newspaper, and will issue reminders in the coming weeks.
- iii. Mr. Dean said the effort to address Covid transmission at the Rinks was long and involved, and Mr. Murray did his best to get information out of the State. We know how important sports are for the kids, and the intention is not to shut things down but to prevent a significant situation.

## 9. Regular Business

### a. Tax Abatements, Veterans Credits and Exemptions

There were no abatements or exemptions at this meeting.

### b. Permits & Approvals

- i. Mr. Bisson said they've been finding golf balls on Rec fields, which is dangerous for the mowers. He reached out to other Parks and Rec departments, and found they do not allow golf in public parks. He suggested the Board consider making an ordinance or policy to not have golfing at the parks. Ms. Cowan asked whether they could ban leaving golf balls and allow golfing. Mr. Dean said there's also a safety issue with driving golf balls when people are around. Ms. Cowan wondered if there's a way to allow putting only. Mr. Bisson said the grass is kept at 2 ½ to 3 inches, so it's easy to lose a golf ball. They collect 4 - 6 balls a week. Ms. Oliff said that doesn't sound like that many. She doesn't want to increase the restrictions on the parks. Mr. Dean said this is also a liability issue; the insurance carrier would have a real issue with allowing this. Ms. Gilman said if there were an underused public space they could encourage people to go there and golf instead. The Board discussed private alternatives to using the parks. Ms. Oliff said she would like to see them offer something affordable for those who can't afford to play golf at private clubs. Mr. Papakonstantis said they should consider restricting it from the parks while they look for an alternate location. Mr. Browne said he would like to restrict it for liability reasons.

**MOTION:** Ms. Gilman moved to prohibit golfing in Exeter recreational parks for 30 days from today. Mr. Browne seconded. Ms. Oliff and Ms. Cowan voted nay and the motion passed 3-2.

- ii. Mr. Bisson said there's a potential dog problem at Kids' Park. People are using the green space as a space to bring their dogs off-leash. They're asking that the park be added to the town dog ordinance, which currently does not include Kids' Park and Townhouse Common.

**MOTION:** Ms. Cowan moved to include the Kids' Park and Townhouse Common in the current dog ordinance. Mr. Browne seconded. Ms. Gilman asked if the gasworks area on Green Street is a park. Mr. Bisson said no, it's not a town park. By a roll call vote, all were in favor.

- iii. Jennifer Perry described a successful pilot program to take septage from commercial waste haulers to the new wastewater treatment plant. They have been charging 8 cents per gallon, which is based on current rates charged by other wastewater facilities in the region. This allows them to treat the waste and net around 4 cents per gallon. They took this practice into account when planning the new plant. It will not increase nitrogen loads. They recommend including 8 cents per gallon in the fee structure of the town. Ms. Gilman asked if this would improve their non-point source discharge, and Ms. Perry said no, that depends on the frequency of those with septic systems pumping, which should be done every three years.

**MOTION:** Ms. Cowan moved to approve the fee proposed by Public Works at 8 cents per gallon, which is a new fee in the town fee schedule. Mr. Browne seconded. By a roll call vote, all were in favor.

**c. Town Manager's Report**

- i. Mr. Dean said they're having an issue with allowing dogs in the Town Offices. The staff is interested in not having dogs in the building. This would not include service animals. He's planning to bring it back to the Board another night.
- ii. He's mostly working on budget and finances. The town got a clean audit, and will have a rep from the auditors on the next meeting.
- iii. He's working on the MS1 assessing document for the State, which relates to the tax rate setting. The Board needs to discuss the fund balance policy to lower the tax rate at an upcoming meeting.

**d. Select Board Committee Reports**

- i. Mr. Browne said the Communications Committee, discussed publishing the survey. In Facilities, they're wrapping up the budget recommendations.
- ii. Ms. Oliff had a Housing Committee meeting, where they heard an update from Maggie Randolph on the project in Durham for small houses.
- iii. Ms. Gilman said the Conservation Commission organized a special all boards meeting to talk about climate change and sea level rise. They



heard from the Academy, which is planning to repair a bridge over the river on their property. At the HDC meeting, Sea Dog came in looking to expand their awnings, which went over well. The first residential solar installation on High Street was approved.

- iv. Ms. Cowan had a Planning Board meeting. The Academy is looking to make changes to one of the barns on campus. At the Water/Sewer Advisory meeting, they heard a request from a family to be charged Water/Sewer at tier 1 despite increased usage due to extra people staying in the house because of the pandemic that put them in tier 2. Water/Sewer didn't feel comfortable approving that, so they decided to bring it to the Select Board. The ask is to charge people for their full usage but under the rate they were paying pre-pandemic. Ms. Gilman said they should look at it more in depth and hear from Ms. Perry. Ms. Perry questioned how something like that would be administered, as they are only reading meters and charging based on volume. Mr. Dean said they'd have to have an application and approval process. Ms. Oliff said they should give people the opportunity to express their need for extenuating circumstances. Ms. Cowan said she didn't think they should apply it globally, but people should have the ability to come to the Water/Sewer Advisory committee as with an abatement. Mr. Dean said they should limit it to those situations caused by Covid-19. He suggested they pass these incidents along to the State as examples of the issues they're working with because of Covid-19. Ms. Perry will work with the Water/Sewer Committee on moving forward with this proposal.
  - v. Mr. Papakonstantis did not have any meetings, but participated in the climate forum, which was well done. In BRC meetings, the Police and Fire subcommittee presentation is this Wednesday.
- e. Correspondence
- i. An update from Primex and Health Trust re property, casualty, worker's comp, and health insurance policies.
  - ii. An update on the Wastewater State Aid Grant. Mr. Dean said the Exeter project grant is currently on hold until the revenue shortfalls are known. The town is #60 on the list.
  - iii. Update from the estate of Mr. Donohue. This is notice required under RSA 554:18-a; they are noticed any time an estate is in probate.
  - iv. A quarterly report on water quality from Mr. Berube to the EPA. This is going well.
  - v. A memo from Parks and Rec with pictures of the pavilion at Gilman park, which is ready to use.

#### 10. Review Board Calendar

- a. The next meetings are October 26, November 9, and November 23.

#### 11. Non-Public Session

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

#### 12. Other business

Ms. Oliff said when they have conversations about residents, Board members must show respect for those in diverse situations. If a member of the Board says it concerns the equity of those who live in town and want to access things such as golf, other members shouldn't say just "use private clubs." The Select Board has a role to uphold standards for the town. Not everyone in the town can afford this. They should show respect and appreciation to the residents of the town and the members of the Board.

13. Adjournment

**MOTION:** Ms. Gilman moved to adjourn. Mr. Browne seconded. By a roll call vote, all were in favor, and the meeting adjourned at 9:40 PM.

Respectfully Submitted,  
Joanna Bartell  
Recording Secretary

## Board and Committee Appointments

## Exeter Police Stakeholders Committee

### Initial Committee Interviews

| Interview  | Name              | Comments |
|------------|-------------------|----------|
| 8/24/2020  | Timothy Kerber    |          |
| 8/24/2020  | Elliott Berkowitz |          |
| 8/31/2020  | David Allen       |          |
| 8/31/2020  | Timothy Graham    |          |
| 9/14/2020  | Matthew Carbone   |          |
| 9/14/2020  | Anne Surman       |          |
| 9/14/2020  | Katie Adams       |          |
| 9/14/2020  | Andrew Rocco      |          |
| 9/28/2020  | Lionel Ingram     |          |
| 9/28/2020  | Kenneth Mendis    |          |
| 9/28/2020  | Harry King        |          |
| 10/5/2020  | Emily Heath       |          |
| 10/5/2020  | Anne Griffin      |          |
| 10/5/2020  | Alexis Simpson    |          |
| 10/5/2020  | Darius Thompson   |          |
| 10/19/2020 | Tanisha Johnson   |          |

**Election Updates – Town Moderator, Supervisor of Checklist**

## Absentee Ballot Rejected Reasons

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On August 14, 2018, the United States District Court for the District of New Hampshire held that RSA 659:50, III is unconstitutional. This provision previously required moderators, when processing absentee ballots on Election Day, to compare the signatures on an absentee ballot application and the absentee ballot affidavit envelope in order to determine whether the documents "appear[] to be executed by the same person."

Moderators are therefore prohibited from conducting the signature comparison set forth in RSA 659:50, III for the upcoming September 11, 2018 election and for all future elections. This guidance will remain in effect until such time that the law is amended or our offices otherwise advise.

- Absentee Ballot Application Not Signed
- Absentee Ballot Challenged by Another Voter at the Polls on Election Day
- Absentee Ballot Application and Affidavit had two Different Names
- Absentee Ballot Received after Election Day
- Affidavit on the Absentee Ballot Envelope Not Signed
- Already Voted by Absentee Ballot
- Ballot Missing From Envelope
- Envelope Rec'd Other Than by Mail or Delivery Agent
- Incomplete Absentee Registration Affidavit
- Incomplete Voter Registration Form
- Invalid Signature on Application for Absentee Ballot
- Missing Affidavit
- Multiple Ballots Returned in the Same Envelope
- No Absentee Registration Affidavit Envelope Returned
- No Written Application for Absentee Ballot Submitted
- Not a Registered Voter
- Spoiled Ballot
- Voted in Person
- Voter Indicated They are no Longer Eligible for Absentee Ballot
- Voter is Deceased
- Wrong Ballot

**STATE OF NEW HAMPSHIRE**

To the inhabitants of the Town/City (Ward) of Exeter in the  
County of Rockingham, New Hampshire.

You are hereby notified to meet at Talbot Gymnasium  
(name and location of polling place)  
on Tuesday, the third day of November, 2020. The polls will be open between the hours of

7:00 a.m. and 8:00 p.m. to act upon the following subjects:

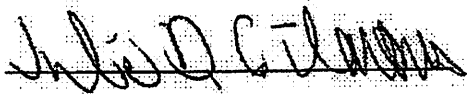
To bring in your votes for President and Vice-President of the United States, Governor, United States Senator, United States Representative, Executive Councilor, State Senator, State Representatives and County Officers.

Given under our hands and seal, this 13<sup>th</sup> day of October, in the year of Our Lord two thousand and twenty.

Signed by:



Selectmen of Exeter, NH



October 13, 2020

**Chief Poulin re: Police Accountability Commission Report**

**<https://www.governor.nh.gov/sites/g/files/ehbemt336/files/2020-09/accountability-final-report.pdf>**



**Riverwoods Tax Agreements 2020**

Town Manager's Office

OCT 5 2020

Received



CELEBRATING OVER 35 YEARS OF SERVICE TO OUR CLIENTS

LIZABETH M. MACDONALD  
JOHN J. RATIGAN  
DENISE A. POULOS  
ROBERT M. DEROSIER  
CHRISTOPHER L. BOLDT  
SHARON CUDDY SOMERS  
DOUGLAS M. MANSFIELD  
KATHERINE B. MILLER  
CHRISTOPHER T. HILSON  
HEIDI J. BARRETT-KITCHEN  
JUSTIN L. PASAY  
ERIC A. MAHER  
BRENDAN A. O'DONNELL  
ELAINA L. HOEPPNER  
WILLIAM K. WARREN

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RETIREE  
MICHAEL J. DONAHUE  
CHARLES F. TUCKER  
ROBERT D. CIANDELLA  
NICHOLAS R. AESCHLIMAN

*Please reply to our Exeter office*

October 2, 2020

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

**Re: RiverWoods Tax Agreements for The Woods, The Ridge and The Boulders**

Dear Russ:

Enclosed please find agreements regarding the tax payment which The Riverwoods Company at Exeter, New Hampshire will make on behalf of the three above-referenced properties. Please have the Board of Selectmen review these at their earliest convenience. If they have any comments or questions, they can contact me. If not, please have them sign the agreements and return the originals to my attention. Thereafter, we will arrange to have RiverWoods sign and arrange for payment on or before December 1, 2020.

Please contact me if you have any questions.

Very truly yours,  
**DONAHUE TUCKER & CIANDELLA, PLLC**

Sharon Cuddy Somers, Esquire  
[ssomers@dtclawyers.com](mailto:ssomers@dtclawyers.com)

Enclosures

cc: Deb Riddell, Executive Director, The RiverWoods Company  
Kevin Goyette, Chief Financial Officer, The RiverWoods Company

S:\RA-RL\RiverWoods Company\Property Tax\2020 Agreements\2020 10 02 R Dean Ltr.docx

DONAHUE, TUCKER & CIANDELLA, PLLC  
16 Acadia Lane, P.O. Box 630, Exeter, NH 03833  
111 Maplewood Avenue, Suite D, Portsmouth, NH 03801  
Towle House, Unit 2, 164 NH Route 25, Meredith, NH 03253  
83 Clinton Street, Concord, NH 03301



Russ Dean &lt;rdean@exeternh.gov&gt;

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**Revised Exeter Tax Agreement for Riverwoods**

2 messages

**Sharon Cuddy Somers** <ssomers@dtclawyers.com>

Thu, Oct 22, 2020 at 9:03 AM

To: Russ Dean &lt;rdean@exeternh.gov&gt;

Cc: Deb Riddell &lt;driddell@riverwoodsexeter.org&gt;

Russ:

Attached please find a revised set of tax agreements for the three properties owned by Riverwoods. The revised set corrects the typographical error contained in the first set and I apologize for any confusion that the error may have caused.




I was on the line for the October 19 Selectmen meeting but had technical difficulty getting through to respond to questions. To remedy that situation, I will be present next Monday evening along with Deb Riddell who is the Executive Director of Riverwoods Exeter. At that time, we can provide information to the Selectmen as to the statutory framework for this agreement and answer questions about the operations of Riverwoods Exeter. In the meantime, and in response to one specific question posed at the October 19, 2020 meeting, Riverwoods Exeter is in fact a non profit entity.

Please arrange to issue a zoom invite to both myself and Deb Riddell at the e mail addresses contained herein. If you learn of any further issues that the Selectmen would like me to address at the October 26, 2020 Board of Selectmen meeting, just let me know so that I can be prepared to address same.

Thanks for your help with this matter.

Sharon Somers

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**3 attachments** **exeter agr the woods.payment in lieu of taxes.doc**  
36K **exeter agr the ridge.payment in lieu of taxes.doc**  
37K **exeter agr the boulders.payment in lieu of taxes.doc**  
34K

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**Russ Dean** <rdean@exeternh.gov>

Thu, Oct 22, 2020 at 10:35 AM

To: Sharon Cuddy Somers &lt;ssomers@dtclawyers.com&gt;

Cc: Deb Riddell &lt;driddell@riverwoodsexeter.org&gt;

10/23/2020

Town of Exeter, NH Mail - Revised Exeter Tax Agreement for Riverwoods

Thank you,

We will send you both panelist invites.

Russ

[Quoted text hidden]

*(The Woods)*

**AGREEMENT**

NOW COMES the **Town of Exeter**, by and through its Board of Selectmen (hereinafter "Town") and **The RiverWoods Company, at Exeter, New Hampshire** (formerly Life Care Services of New Hampshire Inc.), d/b/a RiverWoods at Exeter (hereinafter "RiverWoods"), and agree as follows:

1. By December 1, 2020, RiverWoods will pay to the Town real estate taxes which will be calculated by multiplying the tax rate times the assessed value of the land and buildings owned by RiverWoods as follows:

- A. the residential units (the units located in Crawford, Dixville, Franconia and (Pinkham) will pay the full tax rate (state, municipal, county and school);
- B. the nursing home (Monadnock) will not pay any tax (state, municipal, county or school);
- C. the remainder of the RiverWoods at Exeter facility, including the land used for the final calculation of density under the land use ordinance of the Town of Exeter and outbuildings, will pay the full tax rate (state, municipal, county and school); and
- D. the seventeen plus acres of property not needed for the final calculation of density under the land use ordinance of the Town of Exeter, which are in current use, will pay taxes at the full state, municipal, county and school rate for current use property.

2. The parties to this agreement recognize that those portions of the development that support both the nursing home and the residential units will be taxed on a pro rata basis.

3. This agreement on principle shall not preclude either party from questioning the precise percentage amounts allocated to the taxable and nontaxable portions, nor the assessed value of the taxable portions of the land and buildings.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement this  
\_\_\_\_\_ day of \_\_\_\_\_, 2020.

TOWN OF EXETER

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Niko Papakonstantis, Chair      Selectman

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Molly Cowan, Vice Chair      Selectman

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Julie D. Gilman, Clerk      Selectman

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Daryl Browne      Selectman

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Lovey Roundtree Oliff      Selectman

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement this  
\_\_\_\_\_ day of \_\_\_\_\_, 2020.

THE RIVERWOODS COMPANY,  
AT EXETER, NEW HAMPSHIRE

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Deborah Riddell, Executive Director

*(The Ridge)*

## AGREEMENT

NOW COMES the **Town of Exeter**, by and through its Board of Selectmen (hereinafter “Town”) and **The RiverWoods Company, at Exeter, New Hampshire** (formerly Life Care Services of New Hampshire Inc.), d/b/a RiverWoods at Exeter (hereinafter “RiverWoods”), and agree as follows:

1. By December 1, 2020, RiverWoods will pay to the Town real estate taxes which will be calculated by multiplying the tax rate times the assessed value of the land and buildings owned by RiverWoods as follows:

- A. the residential units will pay the full tax rate (state, municipal, county and school);
- B. the nursing home will not pay any tax (state, municipal, county or school);
- C. the remainder of “**The Ridge**” facility, including the land used for the final calculation of density under the land use ordinance of the Town of Exeter and outbuildings, will pay the full tax rate (state, municipal, county and school); and
- D. the land not needed for the final calculation of density under the land use ordinance of the Town of Exeter, which is in current use, will pay taxes at the full state, municipal, county and school rate for current use property.

2. The parties to this agreement recognize that those portions of the development that support both the nursing home and the residential units will be taxed on a pro rata basis.

3. This agreement on principle shall not preclude either party from questioning the precise percentage amounts allocated to the taxable and nontaxable portions, nor the assessed value of the taxable portions of the land and buildings.



IN WITNESS WHEREOF, the parties hereto have entered into this Agreement this  
\_\_\_\_\_ day of \_\_\_\_\_, 2020.

TOWN OF EXETER

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Niko Papakonstantis, Chair      Selectman

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Molly Cowan, Vice Chair      Selectman

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Julie D. Gilman, Clerk      Selectman

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Daryl Browne      Selectman

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Lovey Roundtree Oliff      Selectman

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement this  
\_\_\_\_\_ day of \_\_\_\_\_, 2020.

THE RIVERWOODS COMPANY,  
AT EXETER, NEW HAMPSHIRE

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Deborah Riddell, Executive Director

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*(The Boulders)*

**AGREEMENT**

NOW COMES the **Town of Exeter**, by and through its Board of Selectmen (hereinafter “Town”) and **The RiverWoods Company, at Exeter, New Hampshire** (formerly Life Care Services of New Hampshire Inc.), d/b/a RiverWoods at Exeter (hereinafter “RiverWoods”), and agree as follows:

1. By December 1, 2020, RiverWoods will pay to the Town real estate taxes which will be calculated by multiplying the tax rate times the assessed value of the land and buildings owned by RiverWoods as follows:

- A. the residential units will pay the full tax rate (state, municipal, county and school);
- B. the nursing home will not pay any tax (state, municipal, county or school);
- C. the remainder of “**The Boulders**” facility, including the land used for the final calculation of density under the land use ordinance of the Town of Exeter and outbuildings, will pay the full tax rate (state, municipal, county and school); and
- D. the land not needed for the final calculation of density under the land use ordinance of the Town of Exeter, which is in current use, will pay taxes at the full state, municipal, county and school rate for current use property.

2. The parties to this agreement recognize that those portions of the development that support both the nursing home and the residential units will be taxed on a pro rata basis.

3. This agreement on principle shall not preclude either party from questioning the precise percentage amounts allocated to the taxable and nontaxable portions, nor the assessed value of the taxable portions of the land and buildings.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement this  
\_\_\_\_\_ day of \_\_\_\_\_, 2020.

TOWN OF EXETER

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Niko Papakonstantis, Chair      Selectman

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Molly Cowan, Vice Chair      Selectman

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Julie D. Gilman, Clerk      Selectman

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Daryl Browne      Selectman

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Lovey Roundtree Oliff      Selectman

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement this  
\_\_\_\_\_ day of \_\_\_\_\_, 2020.

THE RIVERWOODS COMPANY,  
AT EXETER, NEW HAMPSHIRE

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Deborah Riddell, Executive Director

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## **Groundwater Exploratory Test Well Drilling Update**



# TOWN OF EXETER, NEW HAMPSHIRE

13 NEWFIELDS ROAD • EXETER, NH • 03833-3792 • (603) 773-6157 • FAX 772-1355

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

## Memo

To: Select Board

From: Matthew Berube

CC: Russell Dean, Jennifer Perry, Steve Dalton, Paul Roy

Date: October 23, 2020

Re: Update for Exploratory Test Well Drilling-Town owned conservation lands and privately-owned lands

---

A 2018 warrant article approved \$600,000 to further develop groundwater sources, conduct a review of the Surface Water Treatment Plant (SWTP), and conduct Asset Management for the vertical (structures) assets. This work progressed through 2018 and 2019. A 2020 warrant article approved \$200,000 for groundwater and surface water rehabilitation, engineering, and feasibility study for water supply purposes. We have contracts in place for \$764,250 of the \$800,000 available, leaving a current uncommitted balance of \$35,750.

Emery & Garrett Groundwater Investigations (EGGI), a division of GZA GeoEnvironmental (GZA) has been conducting a Town-wide groundwater exploration program in Exeter as a subcontractor to Underwood Engineers (UE). The purpose of their investigation is to identify and potentially develop additional groundwater sources that can provide critically needed water to the Town to meet current and future water supply needs. As a result of this hydrogeological investigation, several potential Groundwater Development Areas have been identified. Site specific geophysical surveys have been conducted in three of those Groundwater Development Areas resulting in the identification of a series of exploratory test well drilling targets that are located on both Town-owned conservation lands and privately-owned land parcels. The current phase of the groundwater exploration program which is under contract with UE/EGGI/GZA, includes the drilling of exploratory test wells to assess, on a preliminary basis, the possible yield and quality of new groundwater sources.

The three areas where exploratory test well drilling is proposed include:

- An area generally east of Drinkwater Road and west of Hampton Falls Road (Route 88).
- An area which generally straddles Powder Mill Road between the railroad tracks on the east and Kingston Road (Route 111) on the west.
- An area generally along the north side of the Exeter River between Court Street (Route 108) to the east and Linden Street to the west.

Public Works and UE/EGGI plan to discuss the exploratory test well drilling program with the Exeter Conservation Commission at its next regularly scheduled November 10<sup>th</sup>, 2020 meeting to request access to several town-owned conservation parcels. The test well drilling program and any parcel-specific logistics will be discussed. Simultaneous to that, permission will be requested from private landowners to access their land for the same purposes. The goals are to proceed in a timely manner and begin this drilling program during times when the ground is firm, and the land is accessible, and then make final recommendations for groundwater development.

## **Mask Ordinance Extension**





## EXETER HEALTH DEPARTMENT

20 COURT STREET, EXETER, NH 03833-2716

Phone: (603)773-6132

FAX: (603)773-6128

[www.exeternh.gov](http://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 help reduce the risk of the spread of Coronavirus Disease 2019, (COVID-19), an infectious disease that poses a threat to 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 promote education and 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 that the health and wellbeing of the citizens of and visitors to Exeter is of the utmost importance and proper measures are necessary to further protect the community from the potential spread of COVID-19; and

WHEREAS, the most effective 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 (6) 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) recommends as of August 7, 2020, that people wear face coverings in public settings and when around people who don't live in your household, especially when other social distancing measures are difficult to maintain; 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, 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

WHEREAS, every New England state with the exception of New Hampshire has adopted and implemented a comprehensive mask order; 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, Exeter has the opportunity through further educational opportunities to encourage safe and proper social distancing, hand washing and the wearing of face coverings in order to encourage increased foot traffic safely and effectively while promoting local businesses; and

WHEREAS, because COVID-19 presents a clear and present danger to the general Exeter community, it behooves the Selectboard 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. In food service settings, kitchen staff shall not be required to wear a mask within the kitchen, in keeping with current "Safer at Home" guidance. Exceptions may be made for individual businesses on a case by case basis for situations in which wearing a face covering may be counter-intuitive to the situation and safety can still be provided. Exceptions shall not preclude, supersede, alter, revise, or amend the Governor's Safer at Home guidance. Businesses are asked to contact the Health Department for more details on a variance

process.

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. Exceptions may be made for individual businesses on a case by case basis for situations in which wearing a face covering may be counter-intuitive to the situation and safety can still be provided. Exceptions shall not preclude, supersede, alter, revise, or amend the Governor's Safer at Home guidance. Businesses are asked to contact the Health Department for more details on a variance process.**
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 face covering. Members of the public dining at a restaurant may remove masks while seated at their table, whether dining inside or outside, 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 face covering.**
6. **Members of the public must wear face coverings when social distancing of at least six (6) feet is not possible while utilizing sidewalks and other public ways, specifically within areas of Exeter where pedestrian traffic is heaviest, as seen in the highlighted areas of the attached Mask Ordinance Map 8-31-2020. This also applies to 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 shall not be required to wear a face covering outside when walking or utilizing public areas when there is at least six (6) feet social distancing available. A face covering shall not be required in instances where individuals are passing each other momentarily, but increasing as much distance as possible is recommended.**
8. **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.**
9. **Members of the public partaking in cardiovascular exercise, including but not limited to jogging, running, or biking, shall not be required to wear a face covering during the activity. It is recommended that these individuals use increased social distancing as necessary and possible when using public ways.**
10. **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 while in common areas and communal spaces when social distancing is not possible.**
11. **A face covering is not required for any person with a medical or developmental condition to whom the wearing of a face covering would pose a threat to their health or safety.**
12. **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.**

13. 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:

The intent of this ordinance is to first and foremost educate and inform whenever and wherever possible. To that end, representatives of the Health Department shall respond to instances of non-compliance with masks and educational materials available. Penalties are a last resort to the enforcement of this ordinance and shall only be used when non-compliance is repeated, considered intentional, and at a potential detriment of others. 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 \$25 for the second offense, \$50 for the third and subsequent offences.

Effective Date:

Having held one public hearing on August 24, 2020, this ordinance shall be effective on September 2, 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:

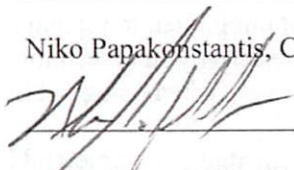
1. 61 days have passed following the date on which this ordinance came into effect and the ordinance was not extended or reenacted.
2. The Governor of the State of New Hampshire has declared an end to the COVID-19 State of Emergency.

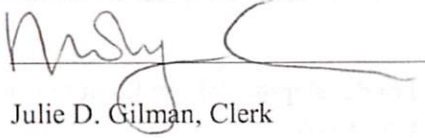
This ordinance may be rescinded at any time by action of the Town of Exeter Selectboard.

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 Cliff

Daryl Browne

Adopted August 31, 2020



Town of Exeter NH Mask Ordinance Map 8-31-2020



Mask Ordinance Limits



## COVID 19 Updates

## **Tax Abatements, Veterans Credits & Exemptions**



## Permits And Approvals



# TOWN OF EXETER

32 COURT STREET • EXETER, NH • 03833 • (603) 773-6151 • [www.exeternh.gov](http://www.exeternh.gov)

## Special Event Application

The Town of Exeter requires licensing for all Special Events where the Select Board is the licensing authority.

Return all Special Event applications to Exeter Parks and Recreation, at 32 Court Street, Exeter NH.

For information or questions concerning the application call 603-773-6151 or email [mroy@exeternh.gov](mailto:mroy@exeternh.gov).

Special Event License (Reference RSA 286 1-5, Town Ordinance Chapter 807)

|  |   |                                      |  |   |  |  |
|--|---|--------------------------------------|--|---|--|--|
| Please Check <u>Type</u> of Event:                     |   |                                      |  |   |  |  |
| <input type="checkbox"/> Special Event                 | <input checked="" type="checkbox"/> Road Race/<br>Bike Race | <input type="checkbox"/> Parade      | <input type="checkbox"/> Fireworks       | <input type="checkbox"/> Protest/Rally        |  |  |
| Please Check <u>Location</u> Requested:                |   |                                      |  |   |  |  |
| <input type="checkbox"/> Town Hall                     | <input type="checkbox"/> Bandstand                          | <input type="checkbox"/> Art Gallery | <input type="checkbox"/> Swasey Parkway  | <input type="checkbox"/> Senior Center        | <input type="checkbox"/> Raynes Barn/Farm    | <input type="checkbox"/> Parks/Recreation Property |
| <input type="checkbox"/> Town Hall<br>Upstairs Back Rm | <input type="checkbox"/> Town Hall Small<br>Front Green Rm  | <input type="checkbox"/> Founders    | <input type="checkbox"/> Swasey Pavilion | <input type="checkbox"/> Downtown<br>Sidewalk | <input type="checkbox"/> Townhouse<br>Common | Name Rec Property:<br><u>SAU16/5ST LOT</u>         |

### EVENT CONTACT INFORMATION

Organization Name: EXETER RUN CLUB

Organization Address: 20 PORTSMOUTH AVE STE 1 #188, STRATHAM NH 03885

Event Representative Name: BILL MEEHAN

Event Representative Title: RACE DIRECTOR Phone # 603-860-5810

Day of Contact Name: BILL MEEHAN Day of Contact Phone # 603-860-5810

Event Representative Email: EXETER5K10K@GMAIL.COM

### EVENT DETAILS

Date of Event: 11/26/2020

Start Time: 800 End Time: 1200

Name of Event: THANKS 4 GIVING

Number of Anticipated Attendees (Including Volunteers and Staff): 230

Describe the Proposed Event: ANNUAL 5K held on THANKSGIVING. ALL proceeds will go to "MEALS on wheels" and "NE PASSAGE" LOCAL CHARITIES. RUNNERS will be STAGGER STARTED IN WAVES of 25/15 MINUTES.

Blocking Off Road(s):  Yes  No If yes, which one(s) \_\_\_\_\_

Sign Board Use:

Plywood Large:  Yes  No Dates: \_\_\_\_\_

Poster Board:  Yes  No Dates: \_\_\_\_\_

A-Frame Use:  Yes  No Dates: \_\_\_\_\_

# of Parking Spaces: 100 Locations: PARKING Lots BEHIND SST & SAU16



# Special Event Application

## WILL YOUR EVENT INVOLVE ANY OF THE FOLLOWING? (Please check all that apply)

Food/Beverage/Concessions/Vendors/sales (inspection by Health Officer)  Yes  No

Alcoholic Beverages Served  Yes  No

State Liquor Permit Received  Yes  No Date Rcvd: \_\_\_\_\_

Town Liquor Permit Approved  Yes  No Date Rcvd: \_\_\_\_\_

Electronic sound amplification equipment, speakers, public address system (must follow noise ordinance)  Yes  No

Propane/Charcoal BBQ grills (inspection by Health Officer)  Yes  No

Electrical set up/ electrical cords run to the site (inspection needed by Electric Inspector)  Yes  No

Fire pits, bonfires, kindle fire, campfire and other outdoor burning (must have permit from Fire Department)  Yes  No

Tents/canopies If so, list quantity and size  Yes  No # & Size 1 - 12' x 12'

Animals at the event. If so, describe  Yes  No \_\_\_\_\_

Motorized Vehicles. If so, describe  Yes  No \_\_\_\_\_

## ADDITIONAL DOCUMENTATION NEEDED TO COMPLETE/ATTACH TO PERMIT APPLICATION

All applicants for Special Events need to provide written submission of the plans below. The Town staff will review your application and if additional information is required or if not enough information was supplied with this application, the Town will contact you to schedule a meeting.

- Site Plan:** Please attach a drawing of the event layout, including parking, facilities, vendor setup etc. (even if you supplied one in previous years).
- Security/Crowd Control Plan:** Describe how you plan to manage event goes while not surpassing the maximum seating capacity of indoor events or how you will secure, control, and assure compliance with laws and licensing conditions in the case of an outdoor event.

We will employ a WAVE START of 25 RUNNERS EVERY 15 MINUTES. The 200 RUNNERS will ARRIVE AT prescribed TIMES.

- Traffic Control/ Parking Plan:** The estimated number of vehicles, provisions for parking, number of police officers or employees necessary to control traffic, type and location of any signs, and any other accommodations or procedures planned to handle attendees and their vehicles.

LAST YEAR WE ACCOMODATED 800 RUNNERS AT A SINGLE START TIME. THIS YEAR 200 RUNNERS WILL BE MANAGED BY 10 PARKING / STAGING VOLUNTEERS.



## Special Event Application

**4. Fire Emergency Plan:** The estimated number of occupants of all indoor events to assure compliance with the laws and permit rules and conditions required by the NH State Fire Code and its adopted references for places of assembly.

OUTSIDE EVENT

**5. Ambulance/ Medical Service Plan:** Detail the on-site emergency medical services and transportation plan.

We will hire AN Ambulance with 2 EMT's

**6. Ticket Distribution Plan:** Outline the distribution of tickets prior to the event and/or at the time and place of the event, including provision for a limitation on ticket sales to maintain required occupancy levels and provision for the refund of ticket costs in the event of cancellation of the event.

ONLINE REGISTRATION, BIB PICKUP will be handled DURING STAGING OF THE WAVES OF RUNNERS.

**7. Sanitary Facilities Plan:** A plan appropriate for the number of attendees, which will include information relative to portable toilet facilities, trash containers, and a provision that the property and surrounding areas and roadways shall be cleared of all debris within 12 hours following the event.

8 PORTA POTTIES ON SITE.

**8. Food Service Plan:** A food service plan, which may require review and acceptance by the Exeter Health Officer or a vendor permit from the Fire Department. Please list what types of food will be served and where it will be served within the facility.

NO FOOD.

**9. Special Duty Service Fees:** The application fee does not include the cost of Fire or Police protection/detail, or any other extra Town expense required to protect the health and safety of the public which can reasonably be attributed to the event. All such costs associated with the use of active and stand-by emergency and other services provided by the Town of Exeter, or by other towns' emergency services, shall be borne by the applicant, promoter or sponsor.

**10. Liability Insurance Required:** Certificate of Insurance and endorsement/provisions to be submitted with completed application. Required Amounts: General Liability/Bodily Injury/Property Damage: \$1,000,000 per occurrence, \$2,000,000 aggregate; the Town of Exeter must be listed as additionally insured.



# Special Event Application

- After the Event, billing for the Special Duty Services will be based on actual hours incurred by Town personnel. The total will be invoiced. A history of non-payment or late payment of any application fee and or Special Duty Services is grounds to deny your request for future event permits.
- A performance bond for events over 5,000 participants per day and or other security acceptable to the Town may be required in an amount equal to the amount estimated for Special Duty Services Fees as described above.

BY SIGNING BELOW, I CONFIRM THAT ALL INFORMATION PROVIDED HEREIN AND IN ALL ATTACHMENTS IS TRUE AND ACCURATE, ACKNOWLEDGE THAT THIS APPLICATION WILL NOT BE REVIEWED BY THE SELECT BOARD UNTIL CONSIDERED COMPLETE BY TOWN REVIEW STAFF, AND STATE THAT ALL LIABILITY FOR THIS EVENT IS ASSUMED AND ACCEPTED BY THE APPLICANT.

William MEEHAN  
 Print Name

[Signature] 10/22/2020  
 Applicant Signature Date

I ALSO CONFIRM THAT I AM RESPONSIBLE FOR ALL COSTS INCURRED FOR THIS EVENT INCLUDING ALL SPECIAL DUTY POLICE, FIRE AND HEALTH/SAFETY SERVICES. ALL SERVICES MUST BE PAID IN FULL UPON RECEIPT OF THE INVOICE. IF NOT PAID IN FULL, THE TOWN WILL CHARGE 2% INTEREST PER MONTH.

THE TOWN MAY REQUEST/SUE FOR LEGAL EXPENSES IF THE TOWN HAS TO GO TO COLLECTIONS FOR UNPAID AMOUNTS. I AM RESPONSIBLE FOR ALL FEES, WHICH MAY INCLUDE INTEREST, ATTORNEY AND COURT FEES.

THE TOWN RESERVES ITS RIGHTS TO PURSUE ALL AVAILABLE LEGAL REMEDIES FOR DAMAGE TO TOWN PROPERTY OR VIOLATION OF ANY LAWS, RULES OR CONDITIONS APPLICABLE TO USE OF TOWN PROPERTY. IN ADDITION, SUCH CONDUCT MAY RESULT IN REVOCATION OF PERMISSION AND/OR DENIAL OF FUTURE REQUESTS FOR PERMISSION TO USE TOWN PROPERTY.

William MEEHAN  
 Print Name

[Signature] 10-22-2020  
 Applicant Signature Date

### FOR OFFICE USE ONLY

Cost For Event: \$ \_\_\_\_\_

Entered Into RecTrac:  Yes  No

Sent Invoice:  Yes  No

Received Insurance:  Yes  No

### Signed Off By Each Department Head

Police Chief  Yes  No  
 DPW  Yes  No

Via Email  Via Email

Health Inspector  Yes  No  
 Parks & Rec  Yes  No

Via Email  Via Email



# Special Event COVID - 19 Addendum

Due to COVID-19 the Town of Exeter is requiring guidelines be adhered to for special event permits. All use of Town parks and facilities must abide by the New Hampshire Governor's emergency COVID- 19 orders. Please initial each line below stating that you will provide the additional documentation required or abide by the guideline noted.

## COVID-19 GENERAL GUIDELINES

1. Provide Parks & Recreation documentation of how the organizers and vendors will provide education and training around safe practices as it relates to hygiene, sanitation (cleaning and disinfection policies), and illness policies outlined in the New Hampshire Universal Guidelines and in this document. Initial J.P.

2. Provide an updated map indicating how the event will be spread out to adhere to the 6' social distancing rule. Initial J.P.

All organizers, vendors, and attendees must maintain at least 6 feet apart from others at all times. Initial J.P.

3. Organizers shall handle all garbage following each event. Initial J.P.

4. Organizations shall require vendors to sign usual participation waivers outlining the additional risks due to COVID-19 associated with the activity. Initial J.P.

5. Organizations shall provide and require the review of the following documents/links to all volunteers and vendors: Initial J.P.

- CDC Guidelines
- Universal Guidelines for All New Hampshire Employers and Employees
- CDC Use of Cloth Face Coverings

6. Organizations shall have each volunteer and vendor sign a document indicating that they have received & reviewed the above documents and shall do their best to abide by the above mentioned Guidelines. Copies of said documents are required to be turned into the Exeter Parks and Recreation 48 hours prior to the event. Initial J.P.

7. Organization shall have each vendor and volunteer to sign a waiver acknowledging the seriousness of Covid-19 and to not hold the Town of Exeter responsible for a possible exposure. Initial J.P.

8. It is understood that this is a temporary permit in which can be revoked, eliminated or extended due to the fluidity of COVID-19 and/or non-compliance. Initial J.P.

## COVID -19 VENDOR GUIDELINES

9. Recommended that cash and product not handled by the same person. Initial J.P.

10. All vendors should consider plexiglas/display changes/protective measures for displaying product. Initial J.P.

11. Plastic tables (no wood) need to be used and disinfect commonly touched surfaces Initial J.P.

12. Only the vendor can handle products and place customer purchases away from other products. Initial J.P.

13. Only one shopper under the tent at a time to prevent overcrowding and adhering to 6' social distancing Initial J.P.

14. Vendors should offer cash-free/no-touch payment options encouraged (Apple Pay, Venmo, etc.) Initial J.P.

15. Provide foot traffic flow patterns to meet social distancing requirements. Initial J.P.

16. All food vendors will complete the "ServSafe COVID-19 Precautions Training Video" and will provide a copy of the certificate to the Town and the sponsoring organization. (Health Officer can provide link) Initial J.P.





# Special Event COVID - 19 Addendum

## COVID-19 HEALTH GUIDELINES

17. Require all volunteers and vendors to report any symptoms of COVID-19 or close contact to a person with COVID-19 to the lead contact person. Vendors and Volunteers should not attend events if they feel sick.

Initial JR

18. Vendors and volunteers should be screened on arrival to each event by asking if the individual:

- a. Has any symptoms of COVID-19 (see Universal Guidelines for list of potential symptoms) or fever of 100.4 degrees F or higher (parents should take the participant's temp prior to bring them to the facility).
- b. Has had any close contact with someone who is suspected or confirmed to have COVID-19 in the past 14 days.
- c. Traveled in the past 14 days either:
  - i. Internationally (outside the U.S.),
  - ii. By cruise ship, or
  - iii. Domestically (within the U.S.) outside of NH, VT, or ME on public transportation (e.g., bus, train, plane, etc.).

Initial JR

19. Any volunteer or vendor(s) with any COVID-19 symptoms, those who report close contact with someone suspected or confirmed with COVID-19, or those reporting travel risk factors should not be allowed into the event:

Initial JR

- a. Symptomatic persons should be instructed to contact their health care provider to be tested for COVID-19 and self-isolate at home following the instructions below.
- b. Asymptomatic persons reporting close contact with someone suspected or confirmed with COVID-19, or who report one of the traveled-related risk factors should self-quarantine for 14 days from their last exposure or return from travel.

20. Person(s) with suspect or confirmed COVID-19 must stay home until symptom based criteria are met for discontinuation of isolation:

Initial JR

- a. At least 10 days have passed since symptoms first appeared AND
- b. At least 3 days (72 hours) have passed since recovery (recovery is defined as resolution of fever off any fever reducing medications plus improvement in other symptoms)

21. Organizers shall provide hand sanitizer and face masks at entry points to the events along with proper signage recommending masks be worn while attending the event.

Initial JR

22. Vendors and volunteers must wear masks at all times and vendors must wear gloves when serving customers.

Initial JR

23. An isolation area shall be identified and communicated to all vendors and volunteers at the beginning of each event for those that develop symptoms during the event.

Initial JR

24. Vendors, organizers and volunteers are required to have way to sanitize/wash their hands

Initial JR

The Director of Parks and Recreation will not review incomplete applications. All items must be initialed. Failure to do so shall result in an incomplete application which will not be processed. The undersigned attests that the supplied information is accurate and complete and requests that the Director of Parks and Recreation proceed with processing this application. The undersigned attests that they have read and agree to all provisions of this use of the Town of Exeter's Special Event Permit. They attest that it is the responsibility of the organization to educate any vendors, volunteers, spectators etc. of these rules. **ANY VIOLATION OF THESE RULES WILL RESULT IN AN IMMEDIATE SUSPENSION OF THE PERMIT FOR THE ORGANIZATION.**

JR  
Applicant Signature

10/22/2020  
Date

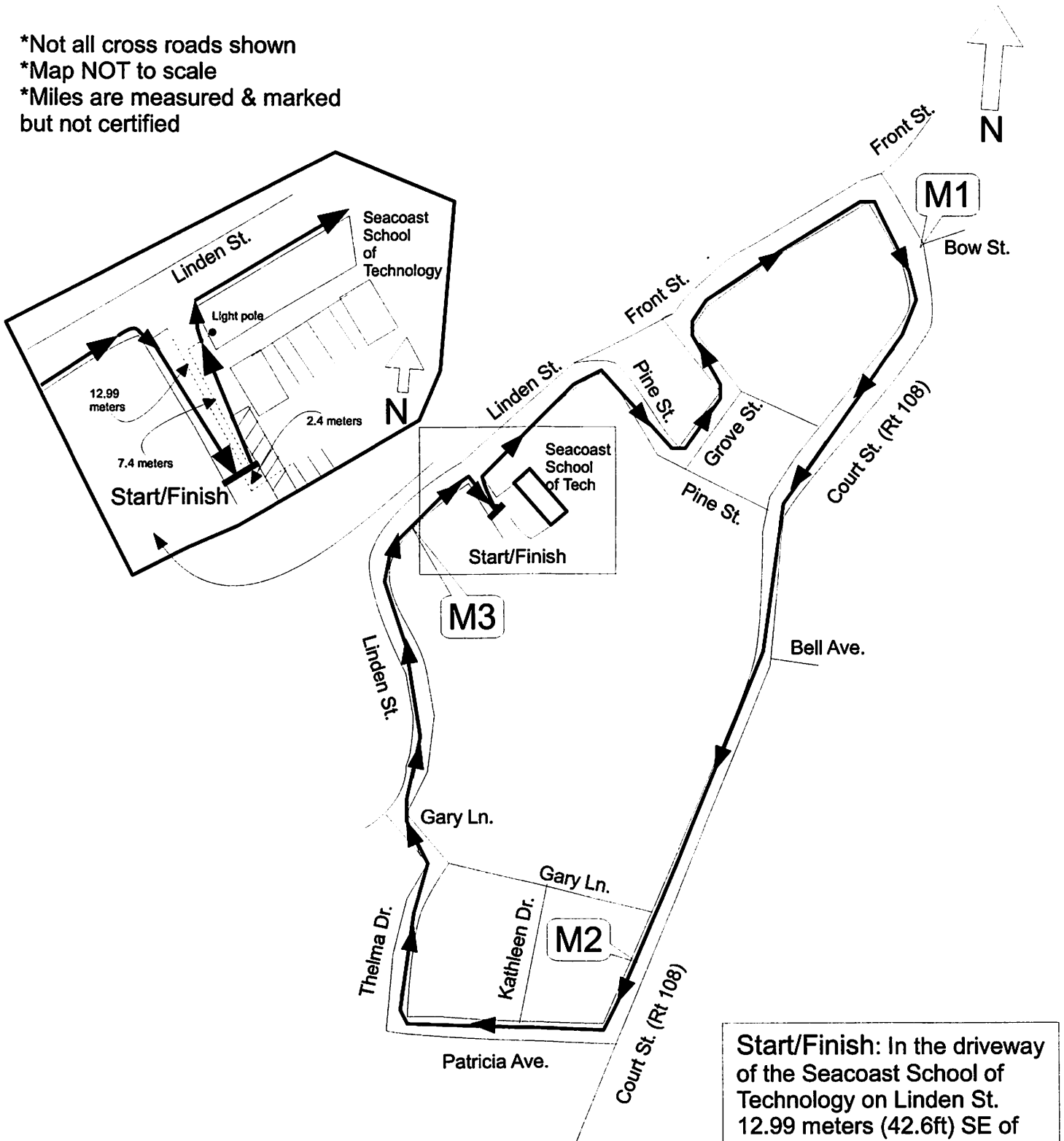




# Exeter Run Club's Thanks 4 Giving 5k

Exeter, NH

- \*Not all cross roads shown
- \*Map NOT to scale
- \*Miles are measured & marked but not certified



**Start/Finish:** In the driveway of the Seacoast School of Technology on Linden St. 12.99 meters (42.6ft) SE of "STOP" line, 7.4 m(24.4ft) SE of light pole & 2.4 m (7.8 ft) NW of westernmost parking space line. Marked with White line & 2 P-K nails.

Measured on Aug 27<sup>th</sup> 2018  
 By Chris Bernier  
 Chri@Sub5Racing.com  
 603.801.5757

## Correspondence

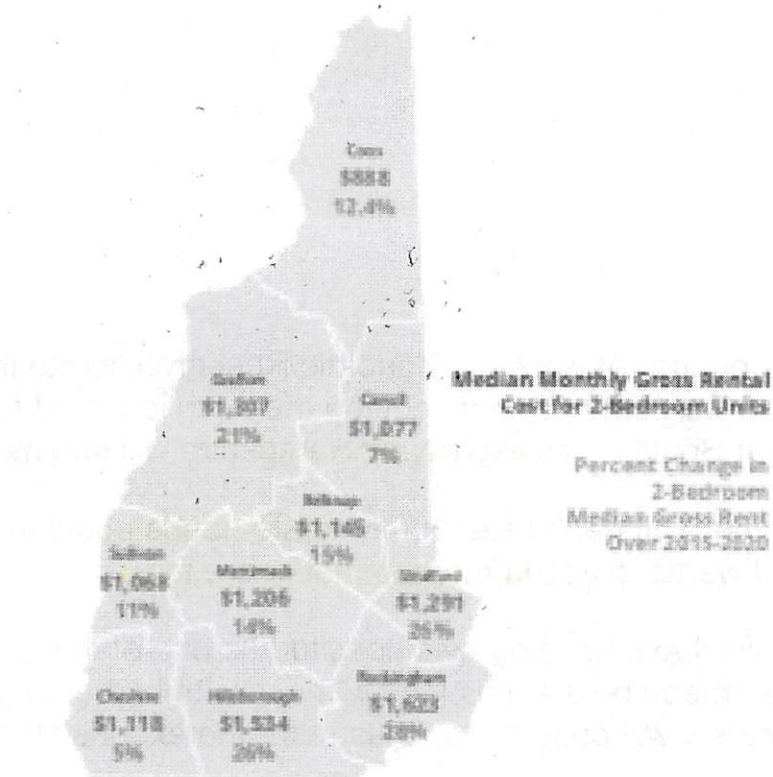
# Surging housing costs point to migration to New Hampshire

Housing Authority report sees 22% statewide increase in median rent

October 21, 2020 [Hadley Barndollar-Seacoast Online](#)

## PERCENT CHANGE IN 2-BEDROOM MEDIAN GROSS RENT OVER 5-YEARS (STATEWIDE, 2015-2020)

Source: NHFA 2020 Residential Rental Cost Survey



Rockingham, Hillsborough and Strafford counties have seen close to a 30% increase in the median rent for a two-bedroom unit over the last five years.

That's according to a housing market report released this month by the New Hampshire Housing Finance Authority, showing Rockingham County at a 28% increase and Strafford and Hillsborough counties at 26%. Merrimack County's increase during that span is 14%, and the statewide increase is 22%.

Rising rents are occurring with a predicted migration of Boston area workers to New Hampshire, now that many companies have implemented work-from-home policies for the foreseeable future. There's likely to be an impact on the Granite State's housing market as a result, the report notes.

Russ,  
FH...  
Pam

Russ Thibeault, founder of Applied Economic Research, wrote in the NHHFA report that with COVID-19 work-from-home policies “cutting the umbilical cord to expensive housing and work space in and near Boston,” it’s likely New Hampshire will see more migration into the state.

That’s a good thing, Thibeault said, but the state needs additional affordable housing infrastructure if it wants to accommodate that migration.

Thibeault said affordable housing was not cited as one of the top factors attracting migrants to New Hampshire, “meaning that it is mostly those with higher incomes who can afford to move here.” That ultimately will pose a major issue for the expansion of the middle-income labor force, he said.

Story continues at [SeacoastOnline.com](https://www.seacoastonline.com).

This article is being shared by partners in The Granite State News Collaborative. For more information, visit [collaborativenh.org](https://collaborativenh.org).



Russ Dean &lt;rdean@exeternh.gov&gt;

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**Event Feedback - HHW**

2 messages

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**Russ Dean** <rdean@exeternh.gov>  
To: Tim Roache <troache@therpc.org>

Tue, Oct 20, 2020 at 10:46 AM

Hi Tim,

From your end how was everything on Saturday? With the rain did it deter people?

Russ

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**Tim Roache** <troache@therpc.org>  
To: Russ Dean <rdean@exeternh.gov>

Tue, Oct 20, 2020 at 11:16 AM

Overall it went well. We had 390 pre-register. We had roughly 20 to 25 non-registered individuals show up.

The event went smoothly with minimal delays for the first three hours. Delay slowly increased, maxing out in the last hour. Some of the participants in who registered for the last hour had a substantial delay. There were a number of reasons for this, the most significant of which was that the rain forced a less optimal set up for Tradebe. Basically the workers had to take more steps to unload each of the vehicles. It doesn't sound like much but 25 to 50 extra steps over 400 vehicles adds up. The volume of waste slowed processing also, people were pushing the guideline limits of 10 gallons and 20 pounds. The other issue was people showing up early for their time slot. Individuals for the 12:00PM slot were showing up at 11:30.

The vast majority of participants were pleased with the event. We collected a significant volume of waste. As you know that is a double edge sword as it will likely impact cost.

We learned a number of lessons about pre-registration and processing the vehicles. Next year we will

- Sell tickets in 30 minute intervals.
- Preregistration is mandatory – No day of registration
- Emphasize that they must NOT arrive early
- I would run two lanes all the way to the off load point. Each lane would hold a 30 minutes queue of vehicles
- We have to re-emphasize the limits on how much waste you can bring

That is a quick brain dump. A successful day overall that we can build on.

[Quoted text hidden]





# TOWN OF EXETER, NEW HAMPSHIRE

13 NEWFIELDS ROAD • EXETER, NH • 03833-3792 • (603) 773-6157 • FAX 772-1355

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

## Memo

To: Russell Dean  
From: Matthew Berube  
CC: Stephen Dalton, Jennifer Perry, Josh Scotton  
Date: October 1, 2020  
Re: UPS Upgrade and Chamber Coatings

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Over the past few weeks, the Town of Exeter and Wright Pierce Engineers have been discussing the best approach to accomplish a few tasks that we feel are necessary upgrades to the Wastewater Treatment Facility. As we move forward with these projects due to time constraints to finish the WWTF project, we wanted to make you aware of the projects, timing, and funding that will be used in case any questions arise.

### **Project 1:** WWTF Change Order 8-UPS Power supply with building

After some discussions with Wright-Pierce Engineers, and some deliberation within Department of Public Works, DPW feels the Town's best option is to purchase and install a new Uninterrupted Power Supply (UPS) and building. Value Engineering removed this from the project, but we have experienced more power bumps than initially anticipated. This was a good money saving decision to reduce project costs, but it is not a good long term decision for the equipment. The manufacturer has stressed to us that these power bumps are not good for the equipment, and was not intended during the initial design. Email chain is include in the packet.

Another reason for purchase, is to eliminate the need to write letters to NHDES for Non-disinfected discharges due to power failures that last 5 to 10 minutes. We have written 4 letters for this reason this year, and it's too many according to manufacturer and NHDES. NHDES has called us directly about the 800,000 gallon non-disinfected discharge from the WWTF due to a power outage, and the UV system tripped out with no knowledge to us due to alarm and programming failure. If a UPS was present, the UV would have not tripped out, not needed to be reset, and no non-disinfected water would have been discharge to Great Bay. NHDES made it clear they do not any more of these discharges from the Town of Exeter. A UPS system will eliminate the time difference between power outage and when generator starts to run. Letters are included in the packet.

We feel the best approach would be option 1 according to the email from Edward Leonard. While option 2 is cheaper, the life expectancy would be far less than actually extending the new building. This project would cost about \$200,000.

The WWTF project contingency after 4 contracts is \$564,829.86. The final change order 8 would include this project plus a couple others and should cost about \$270,000, leaving a project balance of \$294,829.86, but could be as high as \$350,000 once final numbers are rendered to the project. The project will be under budget when completed. If we add the NHDOT payment of about \$550,000, the energy rebate of about \$115,000, the project is essentially \$900K to \$1 M under budget.

**Project 2:** Tank Coatings; Cost is \$63,200.22 just wet well or \$80,700.22 to coat both locations. After some discussions with Wright-Pierce Engineers, and some deliberation within Department of Public Works, DPW feels the Town's best option is to coat the UV Wet well and Parshall Flume now. These tanks were repurposed during the construction of the UV Building and were not recoated for future longevity. This project would be funded through the FY 2019 budget by moving some money from accounts in to building maintenance for the WWTF.

Pros:

- Prevent tanks from earlier failure than rest of new buildings
- Prevents excessive regrowth of bacteria in warmer weather in the tanks. We had issues with regrowth in July and August and had bacteria hits during sampling. Had to report elevated levels to NHDES
- Not just a cheap painted recoating; SprayRoc is a spray on material that has thickness to provide structural integrity again
- 50 year life

Cons:

- Cost is \$63,200.22 just wet well or \$80,700.22 to coat both locations
- All work is done by the contractor on their schedule

We will be moving forward with the project utilizing the current budget line items and transferring the appropriate amounts to the ST-Building Maintenance account. A Purchase Order will be made out as sole vendor and contracted. We have saved money this year by performing projects with in house staff, like the Folsom Pump Station Upgrades.

Please let us know if you have questions, but we have started to move forward with the projects due to timing of the WWTF project closeout, weather, scheduling of the contractors, and my scheduled vacation. Attached is all the backup emails and documentation to back up these requests for your files. We understand this is not typical, but we can't delay, and these project are not your typical projects. The finish line is near and appreciate your understanding for these requests.



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## Swasey Parkway road closure should be permanent

1 message

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Isabel Aley <iz.aley@gmail.com>

Fri, Oct 23, 2020 at 1:10 PM

To: rdean@exeternh.gov, pmcelroy@exeternh.gov

Cc: Jurgen Nebelung <jurgen.nebelung@gmail.com>

Dear Mr. Dean:

I am writing to express my sincere hope that the Town of Exeter will permanently close Swasey Parkway to vehicle traffic. Since the road has been closed to vehicles, I have seen community members enjoying the space for healthy outdoor recreation daily. I have two young children and our family's enjoyment of the Parkway is greatly enhanced without the worry about the danger of vehicles on the road. The extra open space for walking, running, biking, scooters, and more has undoubtedly improved the quality of life for many Exeter residents.

It seems to me that the benefits to our community of keeping the road closed to traffic would outweigh the benefits of opening it up to vehicles again. I would appreciate receiving any updates or decisions pertaining to this matter.

Sincerely,  
Isabel Aley  
Exeter Resident





# EXETER FIRE DEPARTMENT

20 COURT STREET • EXETER, NH • 03833-3792 • (603) 773-6131 • FAX 773-6128

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

*Advanced Life Support / EMS - Fire Suppression - Health Department - Emergency Management*

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## INTEROFFICE MEMORANDUM

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**TO:** RUSS DEAN, TOWN MANAGER  
**FROM:** JUSTIN PIZON, ASSISTANT FIRE CHIEF  
**SUBJECT:** KELTRON FIRE ALARM AND MASTER BOXES  
**DATE:** OCTOBER 7, 2020

Russ,

In 2003 the Exeter Fire Department upgraded the fire alarm monitoring system to a Keltron radio box system. This was the first major modification to the hard wired master box system in nearly 30 years. Keltron is the proprietary name for radio boxes manufactured by AES Corporation. Please click [here](#) for detailed information regarding AES radio boxes. This system also works as a “decoder” for our existing master box system. The decoder takes a master box (wired system) that rings into the fire station and provides a physical location for the alarm. Master boxes first came into existence in Boston, Massachusetts in 1852, and Exeter has had utility pole agreements since the late 1800’s. This technology has not changed in nearly 170 years. To learn more about how a master box works, please click [here](#).

One motivating factor for the 2003 upgrades was the hard wired master box system no longer met the requirements put forth by the national fire code. The fire code (NFPA 1, 2015 edition, and NFPA 101, 2015 edition, and their associated reference material) is adopted by the State of New Hampshire through legislation. Currently the Exeter Fire Department is not meeting the NFPA or UL standards for alarm monitoring for several reasons (see attached sheet). Please click [here](#) for more information regarding the UL certification program.

Since 2003 there have been no upgrades made to the computer driven Keltron receiving and decoding system. In August of 2020, three vendors were approached for the cost of replacing the Keltron equipment. Two vendors did not provide pricing for equipment replacing. Their rationale, the infrastructure is currently installed in an area of the public safety complex, not amenable to computer related infrastructure. They referenced a lack of atmospheric controls, both temperature and airborne debris. The 3rd company provided a cost of \$89,450.00. They too expressed concern over the space the infrastructure was being installed in.

We have been tracking fire alarm monitoring revenue and expenses over the past few years. Since 2018 we see a downward trend in revenue while expenses continue to increase. FY18 saw \$41,807 in revenue, FY19 \$34,363, and this year with all accounts invoiced, we have received \$31,595. Expenses related to fire alarm service agreements and maintenance costs (wages, benefits and supplies) totaled \$39,112 in

*“A Tradition of Service”*

FY19. Expenses budgeted for FY20 total \$41,745 and the proposed FY21 budget is \$42,076. It is easy to see the fire alarm monitoring is a cash flow negative venture. Currently the town realizes a loss of over \$12,000 annually. This does not include the anticipated cost of new equipment or the hiring of additional dispatchers.

I believe we can reduce direct costs associated with the fire alarm system by \$10,150 annually, and reduce the overtime necessary for Fire Alarm maintenance within the Emergency Recall and Detail line by as much as \$10,750 or 50% in FY21, and \$21,500 or 100% in future years by decommissioning the hard wire fire alarm system and removing all street boxes. A revised FY21 budget would show a total reduction of \$24,446 in expenses, wages and benefits, and FY22 will be a \$38,846 reduction as compared to our current 2020 budget.

It is our recommendation that the Town of Exeter and the Exeter Fire Department discontinue the service of fire alarm monitoring, both radio and master box systems. There are several companies who specialize in alarm monitoring for approximately \$1/day (\$365/yr). Our intention is to send notifications to all customers with a proposed cutoff date of July 1st, 2021. That notification will include a list of reputable vendors who are UL listed and follow the NFPA requirements for alarm monitoring.



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## Updated Primex Bulletin: Dept. of Labor Safety Requirements

1 message

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Sara Jones <sjones@nhprimex.org>

Fri, Oct 23, 2020 at 2:45 PM

Primex<sup>3</sup> and The State of New Hampshire recognize the need to protect the safety and health of employees. These protections were memorialized through legislative action back in 1994 through several comprehensive additions to the Workers' Compensation Statute (RSA 281:A), notably the need to have a written safety program, a safety committee (Joint Loss Management Committee, or JLMC) and to report accidents and fatalities in a timely manner.

Over the past few years several changes have been made to specific requirements, including **the need to report any workplace deaths within 8 hours and serious Injuries within 24 hours to the NH Department of Labor**. The attached bulletin provides more detailed explanations of these and other safety and health requirements. Please take a moment to review these and to share with your entity's administrative team.

Primex<sup>3</sup> Risk Management Consultants are available to assist with improving current practices and in helping you to better understand these requirements. Call today.

Sara Jones


Primex

Risk Management – Administrative Assistant

[sjones@nhprimex.org](mailto:sjones@nhprimex.org)

603-225-2841 ext. 196

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 **DOL Compliance\_Oct 23\_2020.pdf**  
342K



# Dept. of Labor Safety Requirements

## PRIMEX<sup>3</sup> RISK MANAGEMENT BULLETIN

The New Hampshire Department of Labor has established safety provisions for employers to help ensure safer workplaces. Although many of these provisions have been in place for many years, they have been amended from time to time. Many Primex<sup>3</sup> members have well-established safety programs that meet or exceed these requirements. The following is a summary of the basic safety provisions outlined in RSA 281-A:64. It is a good idea to periodically review your compliance with these requirements.



### The Basic Requirements:

1. Current Written Safety Program
2. Joint Loss Management Committee (JLMC) — Safety Committee
3. Safe and Healthy Workplace
4. Documentation and Reporting

**Current Written Safety Program.** RSA 281: A requires that employers with more than 15 or more employees, full-time or part-time, to have a current and up-to-date written safety program. Additionally, the program must be reviewed and updated by the employer at least every two years. This review must be documented in the written safety program. The NHDOL requires filing of a safety summary form if one has never been filed before or if filed before 2010. Visit [www.nh.gov/labor/forms/safety-summary.htm](http://www.nh.gov/labor/forms/safety-summary.htm) for more information on filing. The program should include sections that address, at a minimum:

- Management Statement of Commitment
- Responsibilities of Management, Supervisors, and Employees
- Joint Loss Management Committee - Organization, Duties, and Responsibilities
- Safety Rules and Regulations
- Disciplinary Policy
- Accident/Incident Reporting
- Training Requirements for Safety and Health
- Emergency Evacuation and Response Plans
- Safety and Health Communications
- Workplace Violence



In addition to these areas of guidance, the written safety program should also include task-specific policies.

Some examples include, Bloodborne Pathogens, Hazardous and Toxic Substances, and Confined Space Entry.



**Joint Loss Management Committee.** RSA 281: A:64 also requires that employers have a Joint Loss Management Committee (JLMC), or as they are more commonly called, a safety committee. Employers with fifteen or more employees, full-time or part-time, are required to have a JLMC in place.

The committee, equally comprised of both labor and management, should represent the employer's key work activities. Some of the committee's requirements and duties are to:

- Meet at least quarterly
- Maintain meeting minutes
- Review accident and injury data
- Coordinate workplace safety inspections



**Maintain a Safe and Healthy Workplace.** RSA 281: A:64 requires that employers maintain a safe and healthy workplace. What would best be described as a general duty clause, this requirement is an attempt to convey the importance of keeping employees safe on the job. While an essential function of all employers, this requirement helps with the enforcement phase of the Statute.

**Documentation and Reporting.** Employers are required to report any workplace deaths and serious Injuries. Death of any person in the workplace must be reported by the employer to the NHDOL within 8 hours of the occurrence. Serious injury of any person in the workplace (amputation, loss or fracture of any body part, head injury or internal injury that necessitates immediate hospitalization) must be reported by the employer to the NHDOL within 24 hours. These reports must be made electronically or telephonically, and must identify the cause and location of the incident, the place where the injured person is receiving medical care, and any other relevant information as requested. A prompt determination must be made on whether the incident is reportable and employer representative must interact cooperatively with the NHDOL. Specific questions about whether an incident is reportable should be directed to the employer's legal counsel.

- The NHDOL provides guidance for developing a Written Safety Program at the link below.  
<https://www.nh.gov/labor/documents/written-safety-guide.pdf>
- The following link outlines more specific guidance for your JLMC:  
[http://www.gencourt.state.nh.us/rules/state\\_agencies/lab600.html](http://www.gencourt.state.nh.us/rules/state_agencies/lab600.html)

For more information, please contact your Primex<sup>3</sup> Risk Management Consultant at 800-698-2364 or email [RiskManagement@nhprimex.org](mailto:RiskManagement@nhprimex.org).