

Select Board Meeting
Monday, April 3rd, 2023, 7:00 p.m.
Nowak Room, Town Offices
10 Front Street, Exeter NH 03833

Meeting in the Nowak Room at the Town Office Building. For virtual access, see instructions below.

Watch this meeting on Channel 22, or EXT V Facebook <https://www.facebook.com/ExeterTV>, or YouTube <https://www.youtube.com/c/ExeterTV98>.

To access the meeting via Zoom, click this link: <https://us02web.zoom.us/j/88021038559>

To access the meeting via telephone, call +1 646 558 8656 and enter Webinar ID 880 2103 8559

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 access instruction found here: <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. Citizen Award – Jeff Neil
3. Public Comment
4. Proclamations/Recognitions
 - a. Proclamations/Recognitions
5. Approval of Minutes
 - a. Regular Meeting: March 20th, 2023
6. Appointments
7. Discussion/Action Items
 - a. Police Department Body Cameras Demonstration – Stephan Poulin, Chief of Police
 - b. Swasey Parkway Warrant Article Update
 - c. Squamscott River Siphons Project Update – Paul Vlasich, Interim DPW Director/Town Engineer
 - d. Update on Position Vacancies – Melissa Roy, Asst Town Manager/HR Director
 - e. Community Center Investment Program Application – Greg Bisson, Parks/Recreation Director
 - f. Set Select Board Goal Setting Session
8. Regular Business
 - a. Tax Abatements, Veterans Credits & Exemptions
 - b. Permits & Approvals – Letter on Solid Waste Rulemaking; MS232 Report of Appropriations; CPCNH Community Power Cards; Memo on Fire Trucks/Ambulance
 - 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: 3/31/23 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

Citizen Award – Jeff Neil

Proclamations/Recognitions

Minutes

Select Board Meeting
Monday March 20, 2023
7 PM
Nowak Room, Town Offices
Draft Minutes

1. Call Meeting to Order

Members present: Julie Gilman, Molly Cowan, Dan Chartrand, Niko Papakonstantis, Nancy Belanger, and Town Manager Russ Dean were present at this meeting. The meeting was called to order by Mr. Papakonstantis at 7 PM.

2. Swearing In

Town Clerk Andie Kohler swore in Nancy Belanger and Dan Chartrand as Select Board members. Ms. Kohler asked that any other elected officials stop by her office during business hours for swearing in.

3. Select Board Officers

MOTION: Ms. Cowan moved to re-appoint Mr. Papakonstantis as Chair. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Belanger moved to re-appoint Ms. Cowan as Vice-Chair. Ms. Gilman seconded. The motion passed 5-0.

MOTION: Ms. Belanger moved to re-appoint Ms. Gilman as Clerk. Mr. Papakonstantis seconded. The motion passed 5-0.

4. Bid Recommendation - Parks and Rec

- a. Parks and Rec Director Greg Bisson said they'd like to move forward with hiring Yeti Landcare. They do quality work and put in the lowest bid at \$25,800.

MOTION: Ms. Belanger moved to award the bid for 10 Hampton Road renovation project to Yeti Landcare at \$25,800 and authorize the Town Manager to sign any corresponding contract. Ms. Cowan seconded. The motion passed 5-0.

5. Public Comment

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

6. Proclamations/Recognitions

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

7. Approval of Minutes

- a. Regular Meeting: March 6, 2023

MOTION: Ms. Gilman moved to approve the minutes of March 6, 2023 as presented. Ms. Belanger seconded. Mr. Chartrand abstained, as he was not present at the March 6 meeting. The motion passed 4-0-1.

8. Appointments

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

9. Discussion/Action Items

a. Community Power Implementation

Community Power Aggregation Committee member Stephanie Marshall, who was present remotely via Zoom, gave an update on the launch of Exeter Community Power. Last week the rates for community power were revealed and they are a 39% decrease from the current Unitil default rate. We wanted to make things simple to understand in order to build trust in this program. We sent a document to residents with the first water/sewer bills, but we did not know the rates at the time. There will be two more updates sent. Last week at Town Meeting, we did have the rates, and gave out a handout. Darren Winham sent an email to businesses in town explaining the program. Notification letters from Unitil will be sent to all Unitil Customers next week. There will be a 30 day window to opt out or "opt up", but there's no action needed to stay in. There will be a public information meeting on April 5th at 7PM. The new rate will appear on the bills in May. Net metering and solar panel customers won't be automatically enrolled, but we're hoping to address those customers in the future. Some money will be set aside as reserve funds for innovative projects like solar. She added that Board members and town staff should refer questions from the public to the Community Power Coalition which has the expertise to answer.

Mr. Chartrand said he received the email from Darren Winham and it was very effective.

b. Quarterly Financial Report

Finance Director Corey Stevens gave an update on the 2022 financial results. The year was stable, with revenues that were healthy and not too many major challenges. Staffing challenges led to turning back some lines. The General Fund was stable. Revenues were higher because of Motor Vehicles, Meals & Rooms tax, and a one-time State contribution to pension costs. Expenses were mostly in line. In the Water Fund, revenues were slightly below budget expectations but were balanced with spending below expectations due to staffing challenges. There was a net income of \$12,000 in the Water Fund for 2022. The Sewer Fund had a robust year, assisted by State Aid Grants of \$1.37M to offset debt service for WWTP. Operating Revenues were \$187,000 above budget expectations. Staffing shortages were a problem in Sewer Operations. There was net income of \$1.76M in the Sewer fund, or \$376,000 without the SAG grant.

For General Fund revenue, property tax invoicing was at \$56.9M. The town's portion was \$14.9M. \$1.87M of that was retained by the TIF district. 94% of FY22 property taxes were collected by year end, compared to 97% in 2021. Much of the rest was paid shortly after the beginning of the year. Motor Vehicle

revenues came in above budget, at \$3.2M collected. They were down \$24,500 from 2021. Building and permit fees were \$297,000 collected, or 74% of the budget. The town issued more permits in 2022 than 2021, but the estimated construction costs were 63% of those in 2021. For State Revenue Sharing, there was a one-time contribution of \$93,000 towards retirement costs. Meals and Rooms Tax was \$1.42M collected, or 126% of budget. This was an increase of \$290,000 over FY21. Income from Departments was in line with budget expectations. The decrease was due to an insurance surplus in 2021. Misc Revenue was \$84,000, over budget expectations. There were \$72,000 in unused bond proceeds from the 2019 bonds. Transfers from the Revolving Funds were \$342,000. EMS transferred 95% of fund balance or \$178,000, Sick Leave transferred \$177,000, and Snow and Ice transferred \$87,000 to cover costs as discussed at a previous Select Board meeting.

General Fund Expenditures were \$19.7M or 97% of budget for 2022. There were \$330,000 in encumbrances. Departments continue to struggle with staffing vacancies. General Government was \$986,000 spent, or 99% of budget. HR expenses were 80% spent. The Wages and Benefit lines were underbudget by \$25,000 due to staffing changes. Legal expenses were \$93,000 or 117% of budget. The Finance group was \$957,000 spent or 93% of budget. Financing was \$329,000 spent or 93%. Wages and Benefits was 95% spent. IT expenses were \$290,000 spent, or 92% of annual budget. Tax Collection expenses were \$90,000 or 89% of budget. Due to turnover of the Deputy Tax Collector position, there was a \$7,000 savings. The Planning Group was \$507,000 or 89% spent. Planning was \$250,000 or 93% spent. Part time wages were below expectation by \$12,000. Inspection was 87% spent; the Department is still seeking a part time Electrical Inspector. Police were \$3.88M spent or 99%. Police Administration was \$899,000 spent, or 103%. Wages were over by \$16,000 with the addition of one new staff member. Retirement was over by \$16,000. Staffing was \$566,000 spent or 89%, with one open position. Patrol was at \$2M, or 101%. Communication had one open dispatch position, and were 90% spent. The Fire Department was at \$3.9M spent, or 99%. Fire Suppression was \$3M or 98%. There were several vacancies and retirements/resignations. Wages and benefits were 4% below expectation for the year. Public Works had staffing challenges, and were \$5.2M spent, or 91%; spending increases to 96% when we factor in a paving encumbrance and the new labor contract. Administration was \$363,000 spent or 82%. Due to the open Assistant Engineer position, they were \$89,000 under budget. Highways and Streets was at \$1.7M or 80% of budget. There was a \$330,000 paving encumbrance, with the total spending at 95%. Highway had staffing shortages and turnover. Wages were at 91%, or \$63,000 under. Health and Dental were \$30,000 under. Snow Removal was over by \$87,000 due to salt price increases and labor costs, which we took from the Snow & Ice Deficit Fund. Wages and benefits were below budget by \$82,000. Building Maintenance spending was 111%, due to electrical issues at the pool house, plumbing issues with Town Hall, and repairs to the overhead doors at the

DPW complex. Utility costs were 92%, or \$14,600 under. Welfare was at \$131,000, an increase of \$35,000 over 2021. There was outside assistance of \$30,000, and deficit spending of \$24,700.

Mr. Papakonstantis asked if we should increase the budget line for Welfare. Mr. Stevens said they should have that conversation with Pam McElroy and the Town Manager.

Mr. Stevens continued with the budget report. Parks and Rec was at \$487,000 spent, or 92% of budget. Rec expenses were \$371,000 or 95%, and Parks were 86%. Staffing vacancies and turnover led to wages being under by \$37,000. The Public Library was at \$1.05M, or 94% of budget. Debt Service for Capital projects increased by \$11,000: there was new debt service of \$96,000 and retiring debt of \$85,000. Payroll benefits and taxes were at \$505,000, or 124%. There were health insurance buyouts and sick leave buyouts in excess of budget. There was a net operating income of \$1.61M, compared to \$1.88M at the end of 2021. There were \$329,000 of paving and warrant appropriations, for a net income of \$944,000. The Select Board approved a \$1M turnback. The projected tax rate setting fund balance was \$4.5M.

Mr. Chartrand asked about trends in open positions being filled during the first quarter of 2023. Mr. Stevens said there has been some movement. They're still struggling in DPW. Mr. Papakonstantis asked for an update from Melissa Roy on open positions at the next meeting.

Mr. Stevens continued with the report. The Water Fund net income after encumbrances was \$12,000. They had an operating income of \$4.16M, which was 98% collected. This was a 6% increase over 2021 but short \$92,000 against budget. Water consumption was 97% collected. This was offset by water service charge and impact fees, which were \$32,000 over. Expenses were \$3.98M or 94% of budget. Staffing shortages played a role in underspending. Some maintenance and utility lines were underspent. Water Fund debt service increased by \$60,000. Water Fund Capital Outlay was spent out. Water Fund net income was \$172,000, vs 382,000 at the end of 2021. The projected fund balance was \$1.39M. The Sewer Fund had revenue of \$8.95M or 121%, a 30% increase over 2021. The State of NH resumed the State Aid Grant Fund, paying \$1.37M to the Sewer Fund. \$1.078M in additional aid is predicted for 2023. The Sewer Impact was \$187,000 over budget. Operating expenses were \$6.8M, or 92%. Sewer Operations had staffing challenges. The Sewer Fund Debt service had a \$227,500 increase. The Sewer Fund Capital Outlay was spent out if you include the encumbrances. The net operating income was \$2.13M compared to \$291,000 in 2021. The total net income was \$1.763M. The unassigned fund balance was \$5.08M.

The CATV Fund used \$10,800 of fund balance to cover operating deficits, which was a bit better than in 2021. Going forward, the increased flexibility on the rate from the town warrant will get us on solid footing. CATV Fund balance was \$136,700. The Rec Revolving Fund had revenue of \$672,000, or \$206,000 above budget. Expenses were \$627,800, or \$226,000 above budget. Wages,

Taxes & Benefits were \$206,000 above budget due to program participation increases and increases in pay rates for summer help. General Fund expenses were \$152,000 over budget. The Rec Revolving Fund balance was \$209,500. In the EMS Revolving Fund, the call volume increased, with an increase of 44% in accounts billed. EMS revenue was \$627,300 or 116% of anticipated. Expenses were \$360,000 or 96% of budget. This fund contributed \$178,000 back to the General Fund. The EMS Fund Balance was \$276,000.

Ms. Belanger asked Mr. Stevens to explain collections at year end. Mr. Stevens said property tax was 94% collected, compared to 97% at the end of 2021. There was \$3.49M in property tax outstanding at the end of 2022. \$1.077M in property taxes due were paid shortly after end of year; if this revenue had come in before year end, the collected percentage would have been 96%.

Mr. Papakonstantis asked about the recent national banking challenges. Mr. Stevens said we bank with two mid-size banks, Citizens for operating funds and capital projects and TD Bank for investment funds. Both have relationships with a NY Bank, BNY Mellon, and that bank holds all of our uninsured deposits over \$250,000. We have lines of credit and collateral with Bank of New York. In the event our local partners couldn't provide us with funds, we can submit a request directly to BNY. They're a large national bank and are in good shape.

c. Squamscott River Siphons Update

Town Engineer and Interim DPW Director Paul Vlasich gave an update on the Siphons project. The removal of the drill rods was delayed by the snow storm, but will be done tomorrow. We could have put a sleeve from the mill side of the river to push existing drill rods from the other side, but the consultants didn't think that would work and it had a steep price tag, so we eliminated that option. Tomorrow, the contractor, subcontractor, consultants, and subconsultants will look at the drill rods where they were broken. There is a chance the break happened close to the driller and an excavation could happen to make a repair. There's no guarantee. Tomorrow we'll find out. We'll be doing a forensic exercise on what caused the break. The funds the contractor has received were for the initial mobilization to the site, they haven't gotten a paycheck since. Our design consultants have gone over a change order request through Feb 16 for \$716,635. We're looking for a design waiver for two barrels instead of standard 3.

Mr. Chartrand asked if there's sewage from Portsmouth Ave that's going through this siphon, or just the Jady Hill neighborhood. Mr. Vlasich said the volume of sewage is around 35% of the total flow in town, somewhere around 400,000 gallons a day. It's not just Jady Hill. It's not the Hospital, their sewage goes to High Street.

Mr. Vlasich said the ledge was a surprise based on existing data. If they'd done extra borings, they still could have missed this ledge. The consultants wouldn't want to do these test borings right over the line of the pipe because of the possibility of the lubricant escaping into the river during drilling.

d. Senior Resource Guide

Parks and Rec Assistant Director Dave Tovey presented the Senior Resource Guide final draft. He started working on it since last summer after the Age-Friendly Community Survey the town conducted with RPC and Meals on Wheels, thanks to a grant from the AARP. This was similar to a 2019 survey on Exeter age-friendly living. The two major themes were transportation and information sharing. The Senior Resource Guide will be available through the Town Offices, at the Library, online, and at events. We're hosting a Senior Resource Fair on April 19 at Langdon Place.

Ms. Belanger asked if people will be notified of updates to the guide. Mr. Tovey said yes. Ms. Gilman suggested adding an issue date. Ms. Cowan suggested adding a QR code. Mr. Tovey said he will add a QR code and issue date.

Ms. Gilman asked about transportation. Mr. Tovey said that will be the next topic for the Senior Council.

e. Seasonal Wage Rates - Parks and Rec

Parks and Rec Director Greg Bisson said in 2022, Rec was faced with a challenge of getting staff. We employ mostly high school and college kids. Our wages were way behind. We made slight adjustments but fell even further behind. We can't run programs without quality employees. He's proposing an increase. There is a proposed 8 step pay plan. He added that we have only had 2 employees over the last 20 years that have worked for Rec for more than 10 years. There are 185 staffers. For the CIT [counselor in training] positions, which are typically high schoolers, in the past we relied on "legacies" or former summer campers. Covid took that away. We've just started re-establishing the CIT program. Our staff-to-camper ratios are below what most municipalities do. Some are 15:1, we're 10:1 or lower. Staffing the pool is even more difficult than camp. David Tovey became a lifeguard instructor so he can now teach lifeguards in-house. Not one pool staff member returned from pre-Covid. We brought back swim lessons. Proper staffing is 4 guards on at all times. The Concession people are checking IDs and collecting money, as well as serving a lot of snacks. We sold \$45,000 of concessions in 2022. All programs are still priced to be affordable, but we can't go back to pre-pandemic prices. We need to make adjustments to attract and retain quality candidates. These counselors make an impact on kids. Our new Parks and Rec Coordinator is interviewing new staff, as well as talking to outgoing staff to see how we could have retained them better.

Mr. Chartrand said schools are a big way that we build community, and this is another way to connect citizens to our town. Some kids will come back to this town and be citizens. This is important to build community. This is not just about recreation.

MOTION: Mr. Chartrand moved to accept the pay scale as presented. Ms. Belanger seconded. The motion passed 5-0.

f. 2023 Town Election Recap

Mr. Dean said in the Town Election, there were 1,630 voters. For the Bond Articles, the Police Station/Fire Substation did not pass. It had 57.1% in favor, but it had a 60% threshold. Westside Drive passed with 67.8% in favor. The Pine Street Intersection Improvement passed with 61.5%. The Solar Array project increase of \$1.6M passed with 71.8%. The Groundwater Project \$500,000 increase passed with 79.5%. The Court Street Pump Station improvements passed with 84.9%. Overall it was a successful vote. The Operating, Water, and Sewer budgets passed by large margins. The following articles all passed: the Vactor Truck replacement with 71.1%, Sewer Rehab with 77.2%, Linden Street Bridge with 74.3%, the Sidewalk Tractor with 68.9%, the Parks Improvement Fund with 75.7%, Customary Sick Leave Expendable Trust with 75%, Highway Truck #5 replacement with 78.6%, the DPW Garage Design with 67%, the Downtown Area Parking and Traffic analysis with 65.3%, the Conservation Fund with 77%, the Snow and Ice Deficit Fund with 78%, the FD Hybrid Explorer with 72.6%, the ADA Plan implementation with 73.5%, the Town Hall Revolving Fund Article with 74.9%, the Swasey Parkway Expendable Trust Funds Transfer with 83.5% in favor, the Town Treasurer change to an appointment with 63.1%, the CATV Fund amendment with 74.6%, and the readoption of a Veteran's Credit with 91.7%. Both Citizens Petitions, the Swasey Parkway and Single Use Plastics articles, passed.

Mr. Papakonstantis said the Public Safety Complex not passing is disappointing, but it didn't fail by much. He still believes in that project. Overwhelmingly the voters were behind our initiatives and warrant articles. Ms. Belanger said she would have appreciated more people getting out to vote. Ms. Cowan asked why we went ahead with the town elections. Ms. Gilman said we're a cooperative school unit, so that part of the ballot can't be voted on unless all communities vote. All six towns had to hold the elections on the same day. Mr. Papakonstantis said the weather report changed, it wasn't supposed to snow until 3 PM. Mr. Chartrand said we pushed a vote back in 2017 and the results weren't good; it might have been the worst turnout ever. He added that the Academy is always on vacation when we vote. Are we required to have town meeting on that day under SB2? Mr. Dean said yes, it's always the second Tuesday of March.

Mr. Papakonstantis said there was a question about the Swasey Park Citizen's Petition. The warrant article in 2022 passed contingent on the Attorney General and Charitable Trust recommending it to probate court, which they did, and a judge issued a decision. How does the citizen's petition fare compared to the warrant article in 2022? Mr. Dean said that Town Counsel's opinion was that since the road discontinuance process was complete, the voters' support of the Citizen's Petition on March 15th has no legal effect. Mr. Papakonstantis asked if case law was cited, and Mr. Dean said no but he can ask Legal Counsel to specify. Ms. Belanger said we should encourage people to ask questions, perhaps with Town Counsel present.

Swasey Parkway Trustee Dwane Staples [who submitted the Citizen's Petition] said he doesn't have questions. He will wait for the Board to check with counsel. He feels that the article was specific.

g. Select Board Reps to Boards and Committees

Planning Board - Nancy Belanger, Dan Chartrand Alternate

Rec Advisory - Ms. Cowan, Ms. Belanger Alternate

Conservation Commission - Ms. Belanger, Mr. Papakonstantis alternate

Heritage Commission - Ms. Gilman

HDC - Ms. Gilman

RPC - Ms. Gilman

Swasey Parkway Trustees - Mr. Papakonstantis, Mr. Chartrand alternate

Communications Advisory - Ms. Cowan, Ms. Belanger alternate

Energy Committee - Ms. Gilman, Mr. Papakonstantis alternate

Facilities Committee - Mr. Chartrand, Ms. Gilman alternate

Housing Advisory Committee - Ms. Belanger, Mr. Chartrand alternate

River Advisory Committee - Mr. Papakonstantis

Sustainability Advisory Committee - Mr. Chartrand, Mr. Papakonstantis alternate

Water/Sewer Advisory Committee - Ms. Cowan

Tree Committee - Mr. Papakonstantis

Arts & Culture Advisory Commission - Ms. Gilman

10. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

MOTION: Ms. Gilman moved to approve an Intent to Cut for 56/3/1, 47/7, and 47/6. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve a Disability Exemption for 104/35, 65/10, and 32/12/24 in the amount of \$125,000 for tax year 2023. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption in the amount of \$236,251 for 85/89/14, 74/19, 73/57, 65/11, 63/102/21, 95/88, 104/79/125, 95/64/301, 96/3, 104/79/133, 13/6, and 68/6/227 for tax year 2023. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption in the amount of \$183,751 for tax year 2023 for 63/102/54, 27/6, 87/18/43, 55/13, 65/125/10. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption in the amount of \$152,251 for tax year 2023 for 95/64/322, 95/64/117, 104/79/614, and 63/188, 95/64/318. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to deny an Elderly Exemption for 104/79/115 and 61/6. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve a Solar Exemption for 82/33 in the amount of \$6,000 for tax year 2023. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve a Solar Exemption for 52/108 in the amount of \$66,000 for tax year 2023. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve a Solar Exemption for 95/70 in the amount of \$11,000 for tax year 2023. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Abatement for 95/64/382 in the amount of \$2,246.22 for tax year 2011; \$2,506.05 for tax year 2012; \$1,266.64 for tax year 2013; \$2,070.36 for tax year 2014; \$1,660.59 for tax year 2015; \$1,582.96 for tax year 2016; \$1,445.15 for tax year 2017; \$1,210.39 for tax year 2018; \$1,256.88 for tax year 2019; \$1,169.75 for tax year 2020; \$1,026.61 for tax year 2021; and \$878.19 for tax year 2022. Ms. Cowan seconded. Mr. Chartrand asked what this is. Mr. Dean said this is a manufactured home that the park has taken a writ of possession on. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve a Land Use Change Tax for 13/1 in the amount of \$150 for tax year 2023. Ms. Belanger seconded. The motion passed 5-0.

b. Permits & Approvals

Mr. Bisson said he's gathering quotes for potential projects with the Parks Improvement Fund. Some are spring-dependent. In 2018, we replaced Town Docks with EZ Dock system, but we reused the gangway. We've had problems with the gangway from people who are using the dock system, it is a safety hazard. We need to replace the gangway. EZ Dock is the source, and FWM Docks in Londonderry would be the supplier. The cost is \$6,581.36.

MOTION: Ms. Belanger moved to allow the Parks and Rec Department to expend \$6,581.36 from the Park Improvement Fund to purchase a new aluminum gangway from FWM Docks in Londonderry NH to be installed at the town docks. Ms. Gilman seconded. The motion passed 5-0.

Mr. Bisson said softball field laser leveling is required every 3-4 years. These are heavily used fields, and a lot of material disappears. The Dura Edge engineered infield mix has been phenomenal. It needs to be re-levelled for safety and correct slope. Dura Edge only allows qualified contractors to do this work.

MOTION: Ms. Belanger moved to allow the Parks and Rec Department to expend \$4,700 from the Park Improvement Fund to purchase 45 tons of Dura Edge infield mix from Dura Edge to be installed at the softball fields at the Recreation Park at 4 Hampton Road, to further allow the Parks and Rec Department to expend \$2,300 from the Park Improvement Fund to purchase 2

pallets of Dura Edge Pro Slide from Pioneer Athletics to be used at the softball fields at the Recreation Park at 4 Hampton Road, and to further allow the Parks and Rec Department to expend \$7,800 from the Park Improvement Fund to contract with Organic First to spread and laser-grade the Dura Edge products at the Recreation Park at 4 Hampton Road, for a total amount of \$14,800. Ms. Gilman seconded. The motion passed 5-0.

Mr. Bisson said the next request is the installation of a conduit at 4 Hampton Road. We currently have a private fiber line which is not adequate. We're at capacity. The fiber is on the pole for the town already. Parks and Rec does a lot of sales, monitors filters remotely, and uses cameras for security. We need more cameras to monitor everything. We're also working with the FD to install AED boxes at the Rec Park year-round that will be wired-in. The conduit will cost \$7,200. Only one vendor responded, Days Landscaping.

Dwayne Staples of Ashbrook Road asked if you can run irrigation using a phone program. Mr. Bisson said the irrigation box is on the other end of the park, so not at this time. We could do it via wifi from 10 Hampton Road.

MOTION: Ms. Belanger moved to allow Parks and Rec to expend \$7,200 from the Park Improvement Fund to contract with Days Landscaping to install conduit for the town fiber line at the Recreation Park at 4 Hampton Road. Ms. Gilman seconded. The motion passed 5-0.

Mr. Bisson said this is the year to paint the pool. We now have the staff in-house. Our staff members are familiar with painting pools. This will save the town \$60,000 over hiring an external contractor. It's \$7,600 to purchase the correct paint, Tnemec Paint. We don't want to switch paint brands because in 2010 we had to sandblast and repaint the entire pool. We should get 5-7 years from this paint.

MOTION: Ms. Belanger moved to allow the Parks and Rec Department to expend no more than \$7,600 from the Park Improvement Fund to purchase Tnemec Paint and supplies from the Rider Group Inc for the Daniel R. Healy Pool. Ms. Gilman seconded. The motion passed 5-0.

Mr. Bisson said to finish the ADA requirements for the tennis courts, we're asking for \$4,825 for Contrast Concrete to do both upper and lower pads.

MOTION: Ms. Belanger moved to allow the Parks and Rec Department to expend \$4,825 from the Park Improvement Fund to contract with Contrast Concrete to complete the concrete pad improvements for the tennis courts at 4 Hampton Road. Ms. Cowan seconded. The motion passed 5-0.

Mr. Bisson said we're looking to do interior door replacement at the Daniel R. Healy Pool. The interior doors are from the 1970s and have been rotting and rusting. This would be for three doors, the two locker room doors and a maintenance door to the water heater, at a cost of \$4,073.40.

MOTION: Ms. Belanger moved to allow the Parks and Rec Department to expend \$4,073.40 from the Park Improvement Fund to purchase new interior doors for the Daniel R. Healy

bathhouse from CDF Doors. Ms. Gilman seconded. Ms. Belanger asked if those are the original doors, and Mr. Bisson said yes. The motion passed 5-0.

Mr. Bisson said the next request is a box to house our AEDs. These boxes keep the AED cool in the summertime and keep them at a moderate temperature in the winter. It will also take a picture and send a signal to dispatch when the box is open. One will be on the pool building, and we can get a wifi extender and put one on the irrigation shed next to field 3.

MOTION: Ms. Belanger moved to allow the Parks and Rec Department to expend \$3,000 from the Park Improvement Fund to purchase two AIVIA 300-320 indoor outdoor cabinets with internet, fan, alarm, and optional heater, phone, and imaging. Ms. Cowan seconded. The motion passed 5-0.

Mr. Bisson said we'd like to put a temporary fence between 4, 8, and 10 Hampton Road. There's an existing fence that is falling down. We'd like to replace the fence and extend it, as well as create a temporary fencing system for 10 Hampton Road to keep people from parking on the grass. The cost is \$3,236 for AAA Fence. We're not buying new chain link, we're recycling. This cost is only for labor. We're using 4x4 posts with chain for temporary fencing.

MOTION: Ms. Belanger moved to allow the Parks and Rec Department to expend \$3,236 from the Park Improvement Fund to contract with AAA Fence to repair fencing between 4 Hampton Road, 8 Hampton Road, and 10 Hampton Road, and install a temporary fence at 10 Hampton Road creating a barrier to keep people off the grass, and further allow Parks and Rec to expend at most \$500 from the Park Improvement Fund to purchase chain and accessories from Lowes to complete the temporary fencing at 10 Hampton Road. Ms. Gilman seconded. The motion passed 5-0.

Mr. Bisson said we had an issue with debris in the lower tennis courts. We've priced out windscreens to prevent that. We just had tree work completed which will also prevent leaves and debris. Pioneer Athletics is the cheapest at \$1.10 per linear foot. It would be \$4,500 for the lower courts.

MOTION: Ms. Belanger moved to allow the Parks and Rec Department to expend \$4,500 from the Park Improvement Fund to purchase windscreens from Pioneer Athletics for the lower tennis courts at 4 Hampton Road. Ms. Gilman seconded. The motion passed 5-0.

Mr. Bisson said we're putting out information boards. We need to get information out to where people are, such as playgrounds and parks. There will be 3 info boards, double-sided, locked, and scratchproof. One side will be Parks and Rec posters with QR codes. The other side can be for town meetings or events. The posters will be changed out monthly, or every two to three months. The cost is \$5152.28.

MOTION: Ms. Belanger moved to allow the Parks and Rec Department to expend \$5152.28 from the Park Improvement Fund to purchase informational boards from Belsen Outdoors for

Park Street Common, Kids Park, and the Recreation Park. Ms. Cowan seconded. The motion passed 5-0.

Mr. Bisson said there is now about \$51,000 left in the Park Improvement fund.

Mr. Bisson said we have surplus equipment: the gangway, a John Deere tractor, and a Spectrum ADA pool lift. The tractor needs a lot of work; it has lost compression, the hydraulics leak, and the bucket is permanently tilted. We would like to put this out to bid. The value is about \$500, and it would cost more than that to dispose of it. The gangway is 28 feet by 4 feet, and has a value of about \$500. The Spectrum ADA Chairlift is 13 years old but was never installed because it was not compatible with our pool. It will need a new battery pack and some rehab. It originally cost \$8,000.

MOTION: Ms. Belanger moved to allow the Parks and Rec Department to put out to bid the surplus property included in the memo: the 1999 John Deere Tractor, the gangway, and the Spectrum ADA pool chair lift. Ms. Gilman seconded. The motion passed 5-0.

Mr. Bisson said we received the Energy Assessment grant from CDFA. We will do an energy assessment at a \$3,600 savings, with a \$1,200 expenditure from the renovations warrant article. He needs permission to sign the grant approval rather than the Town Manager.

MOTION: Ms. Belanger moved to accept the grant from CDFA for the Community Facilities Energy Assessment Program and further authorize Parks and Rec Director Greg Bisson to sign the letter. Ms. Gilman seconded. The motion passed 5-0.

c. Town Manager's Report

- i. An NHMA Legislative update is scheduled April 5 at Town Hall
- ii. The OmniBallot system was a success at town election. There's a follow-up meeting March 27. We hope to make that a permanent part of the voting process.
- iii. He thanked Public Works for snow plowing during the election
- iv. We're still working on the 149 Kingston Road property. The Executive Director of the Exeter Housing Authority proposed a short-term lease.
- v. Police Body Cameras are almost ready to implement. The PD will come to the Select Board meeting April 3rd to discuss it.
- vi. The PD is holding a citizen award ceremony for Jeff Neil on Friday at 8 AM
- vii. Progress has been made on groundwater. We sent documents to the Academy.
- viii. There's a Water/Sewer Rate study follow-up meeting Wednesday morning
- ix. Mr. Papakonstantis asked for an update on job openings and the DPW Director position when Melissa Roy is back. He's proud that Exeter is the first town to use "All for One" for local voting in NH.

d. Select Board Committee Reports

- i. Ms. Belanger attended the polling pad training. The Planning Board meeting was canceled. The Housing Advisory Committee had a discussion with Exeter Housing Authority on the house that might be used. Lindsay Sonnet and she will meet with Dave Sharples about updating the HAC report. Dave Sharples provided next steps for the proposed zoning ordinance update. There was discussion of the potential for tiny homes in Exeter. The Conservation Commission was canceled. She met with Mr. Dean about Helpsy; there are now two bins at the transfer station and at Tuck Learning Center, and one at 10 Hampton Road and 32 Court Street. Mr. Dean will follow up with Dr. Ryan on HS Students doing a Helpsy fundraiser.
- ii. Ms. Gilman said the Heritage Commission discussed the next grant cycle. They decided to go for further historical survey areas, such as Front Street/Pine Street/Court Street. She also discussed issues at the State level.
- iii. Ms. Cowan had no report. She mentioned that a resident was thankful that she was able to vote on her own using the OmniBallot service.
- iv. Mr. Chartrand had no report.
- v. Mr. Papakonstantis said the Historic District Commission had an extension for Exonion properties, and were invited to comment on the Selco Verizon partnership. It was a short meeting. At the Swasey Park Trustee meeting, Mr. Staples remains Chair and Mr. Thompson Vice-Chair. They talked about the citizen's petition and gave a siphons update. At River Advisory, Paul Vlasich talked about projects and grants he's been working on, and gave a Pickpocket Dam timeline through 2024. The Exeter Reservoir grant was approved.

e. Correspondence

- i. A copy of Darren Winham's letter re community power rates. Ms. Belanger said this is a good additional way of communicating.
- ii. Handouts from Ms. Gilman
- iii. An NHMA Bulletin Legislative Update
- iv. An email from Superintendent David Ryan
- v. A letter from Comcast regarding minor service changes effective March 31

11. Review Board Calendar

- a. The next meetings are April.3, April 17, May 1, and May 15.

12. Non-Public Session

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

13. Adjournment

MOTION: Mr. Chartrand moved to adjourn. Ms. Belanger seconded. The motion passed 5-0 and the meeting adjourned at 9:59 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary

Police Department Body Cameras Demonstration

Swasey Parkway Warrant Article Update

Squamscott River Siphons Project Update

Update on Position Vacancies



TOWN OF EXETER, NEW HAMPSHIRE

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

www.Exeternh.gov

MEMORANDUM

TO: Russ Dean, Town Manager
FROM: Melissa Roy, Assistant Town Manager
RE: Position Vacancy Update
DATE: 3/31/2023

<u>DEPARTMENT</u>	<u>POSITION</u>	<u>VACANT SINCE</u>
Town Offices (1)		
Building/Code Enforcement	Electrical Inspector (PT)	05/2020
<u>Department of Public Works (11)</u>		
Administration (3)	DPW Director*	01/2023
	Assistant Town Engineer	11/2021
	Engineering Tech	04/2023
Maintenance Division (2)	HVAC	01/2020
	Mechanic	11/2022
Highway (1)	Heavy Equipment Operator	
Water & Sewer (5)	Water/Sewer Manager*	01/2023
	2 - Street Crew	04/2022
		03/2022
	Sr. Wastewater Plant Operator	04/2022
	Water/Sewer Maintenance Tech	08/2022
<u>Police Department</u>		
Patrol Division	2 - Patrol Officers	04/2023
		04/2023
<u>Fire Department</u>		
AEMT	1 - AEMT	03/2023

*Currently has an Interim

Community Center Investment Program Application



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: Melissa Roy, Assistant Town Manager/HR
FROM: Greg Bisson, Director of Parks and Recreation
RE: Community Center Investment Program ARPA request
DATE: 04/03/2023

Exeter Parks and Recreation is looking to apply for the Community Center Investment Program, which aims to provide \$20 million in grant resources to eligible entities to support infrastructure improvements to community spaces across the state, for assistance in the renovations of 10 Hampton Road. The Community Development Finance Authority (“CDFA”) is the administrator of this program and has released the grant application which is due on April 21st. Because of the rapidly approaching deadline and scale of work that needs to be done at 10 Hampton Road, the Parks and Recreation Department requests the Select Board to pledge ARPA funds to assist us with the required matching funds. This project meets all the program objectives for the grant. Applications for projects with the following activities are prioritized:

- Serve target populations
- Show the greatest need
- Likely to have a significant impact on the community
- Reinvest in the public physical infrastructure
- Revitalize target areas
- Encourage the development of effective and durable collaborations
- Advanced significant energy efficiency and renewable elements
- Demonstrate readiness and capacity

We hit all of these priorities and more. Additionally, we’ve already been awarded the CDFA’s Clean Energy Grant (\$3,600) for the Level 2 Energy Assessment. We hope to apply for \$897,332 through the Community Center Investment Program. The following budget has been estimated:

Budget:

General Requirements	\$35,000
Flooring and Demo:	\$78,800
Upstairs ADA Bathroom:	\$25,000
Entrance Enhancements:	\$20,000
Program Space Modifications:	\$10,000
Electrical Service Upgrades:	\$17,000
Elevator/Lift and Tower:	\$128,000
Stair Addition and Modifications:	\$120,000

Window Repair/Replacement:	\$5,000
Siding and Trim Replacement:	\$50,000
HVAC Replacement:	\$110,500
Attic Insulation:	\$25,000
Foundation Repair:	\$20,000
Earthwork/Paving:	\$15,000
Subtotal:	\$659,300
General Conditions (5%):	\$32,965
OH&P (5%):	\$32,965
Sub Total:	\$725,230
Contingency (15%):	\$108,785
Architect/Engineering	\$65,000
Total:	\$899,015

Match:

The Community Center Investment Program requires a cash match of 15%. and/or “hard” matching funds, which include money spent for project-related costs. The allowable cash match must include necessary, reasonable, and allowable costs under the program. We are proposing the following be used for the match:

Recreation Revolving Funds:	\$75,000
Town of Exeter ARPA Funds:	\$150,000
Previously Expended Funds*:	\$25,800
Level 2 Energy Assessment:	\$1,200 (town contribution)

*current renovations ongoing

We propose a match above 15% to strengthen our application at 28%. If the project is not selected, the Select Board can take back the funds pledged.

Compliance:

The Community Center Investment Program would be considered a federal grant. If awarded, funds must be used solely for an allowable purpose as defined in the American Rescue Plan Act of 2021 (“ARPA), H.R. 1319, Section 9901, and requires compliance with the Uniform Guidance known as 2 CFR 200 requirements. Those may include but are not limited to:

- Program Administration, including record retention;
- Financial Management, including audit requirements;
- Environmental evaluation;
- Civil Rights, including ADA compliance;
- Procurement;
- Plan for real property reporting and disposition plan;
- Labor Standards; and • Acquisition / Relocation.

All projects must be started within six months of award and completed by August 31, 2025.

The Recreation Advisory Board voted to support this application. We hope you will consider our request.

Respectfully Yours,

Greg Bisson

Director Exeter Parks and Recreation

Set Select Board Goal Setting Session

Tax Abatements, Veterans Credits & Exemptions

List for Select Board meeting April 3, 2023

Equalization Ratio of 67.2% for 2022 memo enclosed

Disability Exemption

Map/Lot/Unit	Location	Amount	Tax Year
95/64/257	16 Peach St	125,000	2023
104/79/611	611 Canterbury Dr	125,000	2023
95/64/77	3 Wanda Ln	125,000	2023
95/64/262	16 Cedar St	125,000	2023
104/79/217	217 Robinhood Dr	125,000	2023

Elderly Exemption

Map/Lot/Unit	Location	Amount	Tax Year
94/22	2 Gary Ln	236,251	2023
104/79/411	411 Friar Tuck Dr	152,251	2023
104/79/321	321 Friar Tuck Dr	236,251	2023
65/102/8	8 Charron Cir	236,251	2023
32/12/25	12 Beech Tree Co-op	236,251	2023
104/79/2	2 King Arthur Ct	183,751	2023
68/6/147	1 Sterling Hill Ln #147	236,251	2023
62/95	5 Wallace Rd	183,751	2023
95/64/338	86 Hilton Ave	236,251	2023
74/10	16 Cottage St	denial	
104/37	151 Court St	236,251	2023
104/79/903	903 Camelot Dr	236,251	2023
73/36	6 Memorial Ln	236,251	2023
104/79/310	310 Friar Tuck Dr	236,251	2023
104/79/1018	1018 Camelot Dr	152,251	2023
87/8/C-24	C24 E&H Cooperative	236,251	2023
72/108	33 South St	183,751	2023
104/79/1001	1001 Camelot Dr	183,751	2023
95/64/286	65 Hilton Ave	152,251	2023
54/4/63	50 Brookside Dr P7	236,251	2023
64/4	19 Green St	236,251	2023
104/79/6	6 King Arthur Ct	236,251	2023
68/6/631	6 Sterling Hill Ln #631	236,251	2023
54/4/20	50 Brookside Dr C-4	236,251	2023
74/45	2 Silvio Dr	236,251	2023
87/8/C-20	C-20 E&H Cooperative	152,251	2023
104/79/401	401 King Arthur Ct	183,751	2023
64/105/48	48 Hayes MH Pk	236,251	2023
104/79/405	405 King Arthur Ct	236,251	2023
74/11	7 Cottage St	183,751	2023
87/8/C-16	C-16 E&H Cooperative	236,251	2023
87/8/C-2	C-2 E&H Cooperative	183,751	2023
73/246	10 Garfield St	denied	2022
65/124/27	105 Portsmouth Ave #27	152,251	2023
104/79/135	135 Robinhood Dr	183,751	2023
104/79/959	900 Camelot Dr	152,251	2023
104/79/143	143 Robinhood Dr	152,251	2023

Elderly Exemption

Map/Lot/Unit	Location	Amount	Tax Year
64/105/6	6 Hayes MH Pk	denied	2023
65/58	23Haven Ln	152,251	2023
65/5	2Ridgecrest Dr	236,251	2023

104/79/114	114 Robinhood Dr	183,751	2023
87/8/C-23	C-23 E&H Cooperative	183,751	2023
95/64/267	32 Alder St	236,251	2023
89/14	9 Phinney Ln	152,251	2023
103/15/2	2 Icey Hill	183,751	2023
64/105/43	43 Hayes MH Pk	152,251	2023
104/79/605	605 Catnerbury Dr	236,251	2023
64/105/35	35 Hayes MH Pk	183,751	2023
61/15	6 Greenleaf Dr	236,251	2023
104/79/911	911 Camelot Dr	236,251	2023
95/64/232	2 Peach St	152,251	2023
52/84/10	30 Downing Ct	152,251	2023
104/79/1002	1002 Camelot Dr	183,751	2023
74/127	213 Front St	152,251	2023
104/79/802	802 Nottingham Dr	236,251	2023

Veteran's Credit

Map/Lot/Unit	Location	Amount	Tax Year
95/64/13	15 Lindenshire Ave	500.00	2023
63/106	45 Epping Rd	500.00	2023
103/15/4	4 Icey Hill	500.00	2023

Abatement

Map/Lot/Unit	Location	Amount	Tax Year
110/2/11	410 Winding River CG	171.54	2022
55/56/2	2 Kings Way Ave	5,118.30	2022
47/4	164 Epping Rd	11,783.48	2022

Solar Exemption'

Map/Lot/Unit	Location	Amount	Tax Year
71/65	4 Sleepy Hollow	10,000	2023
17/2/1	73 Old Town Farm Rd	19,500	2023

LAND USE CHANGE TAX

Map/Lot/Unit	Location	Amount	Tax Year
13/1/2	123 Old Town Farm Rd	30,000	2023
13/1/3	111 Old Town Farm Rd	30,000	2023

Permits & Approvals



TOWN OF EXETER

Planning and Building Department

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

www.exeternh.gov

Date: March 30, 2023
To: Russell Dean, Town Manager
From: Dave Sharples, Town Planner
Re: NHDES Landfill Rulemaking

I'm writing this memorandum because I recently became aware of some rulemaking by NHDES regarding landfills. Specifically, the New Hampshire Department of Environmental Services, Waste Management Division (NHDES) has kicked off a rulemaking effort that will focus on New Hampshire Solid Waste Rules 800 (Landfill Permitting/Requirements) and 1400 (Financial Assurance). I have attached a portion of a presentation from NHDES that highlights "Ideas Under Consideration". Of particular concern is the idea to "prohibit permanent structures on top of landfills" (page 17 in the enclosed document).

Our concern is that this could be interpreted to prevent a solar array from being placed upon the Cross Road Landfill. I did contact the Waste Management Division at NHDES and spoke with Jamie Colby, a Senior Permit Manager in Solid Waste Management, and she assured me that the intent of this provision was NOT to prohibit solar arrays as she viewed them as temporary structures. She said the intent was to prohibit buildings. However, we both agreed that the language could be made clearer and Exeter should submit a comment letter to this effect.

I have attached a draft letter that I asked Kristen Murphy to prepare. I would like to appear before the Select Board on April 3rd to present this and ask them to endorse the letter. Comments are due by next Friday, April 7th. I have provided a suggested motion below for the Board's convenience should they decide to act on this request. At the end of the motion I provide a choice of AS WRITTEN or AS AMENDED depending if the Select Board accepts the letter as is or makes changes.

Proposed Motion: I move that the Select Board authorize the Town Manager to signed the comment letter on behalf of the Select Board regarding Public Input on Proposed Changes to Administrative Rules for Solid Waste and dated April 3, 2023 AS WRITTEN / AS AMENDED.

Thank you.



TOWN OF EXETER, NEW HAMPSHIRE

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

www.town.exeter.nh.us

April 3, 2023

Jaime M. Colby, P.E.
NHDES, Waste Management Division
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

RE: Public Input on Proposed Changes to Administrative Rules for Solid Waste

The Town of Exeter appreciates the opportunity to offer comments in advance of formal rulemaking in hopes our concerns can be addressed early in the process.

Based on the slides presented in association with the March 13, 2023 public input session we would like to comment specifically on ENV-SW 807 and the consideration of prohibiting permanent structures on top of closed landfills. We request the future rules very clearly and specifically define what uses are considered a prohibited permanent structure.

We, like many of our neighboring communities, feel infrastructure for energy development such as solar arrays and associated equipment are compatible post-closure uses. We feel they could be sited safely at these locations, enabling these sites to become an asset to communities without negative results. We therefore request the future rules not move to prohibit solar development and associated structures either intentionally and specifically, or unintentionally through vague language.

We appreciate the opportunity for early input and hope this recommendation is incorporated into your rule-making process.

Sincerely,

Select Board, Exeter NH

P.P. _____
Russell Dean, Town Manager

Public Input Session for Env-Sw 800 & Env-Sw 1400

Ideas Under Consideration

Env-Sw 804 Landfill Siting Requirements

- Expand applicability of setback requirements for landfill infrastructure (e.g., leachate management systems, stormwater ponds)
- Revise setback requirement for wetlands
- Revise setback requirements for surface waters
- Revise setback requirements to residential properties
- Add setback requirements for sensitive populations (e.g., schools)
- Clarify or revise setback requirements between a landfill footprint and the facility's property line
- Clarify the applicability of setback requirements, specifically with regards to new facilities and expansions of existing facilities



Public Input Session for Env-Sw 800 & Env-Sw 1400

Ideas Under Consideration

Env-Sw 805 Landfill Design & Construction Requirements

- Clarify subgrade and base course requirements
- Update liner system design requirements:
 - Require liners to be hydraulically separate
 - Explicitly prohibit the use of underdrains
 - Clarify liner penetration prohibition
 - Require one liner to be a composite liner (i.e., geomembrane and clay or GCL)
 - Add a minimum hydraulic conductivity requirement for geosynthetic clay liners (GCLs)
- Clarify or add a secondary containment requirement for leachate management infrastructure, including pipes, located outside the landfill footprint
- Revise stormwater management design standards from the 25 year to 50 year storm event



Public Input Session for Env-Sw 800 & Env-Sw 1400

Ideas Under Consideration

Env-Sw 805 Landfill Design & Construction Requirements

- Add minimum design standards for landfill gas management (LFG) systems and LFG migration monitoring
- Revise or add factors of safety for landfill design
 - Veneer and global stability
 - Retaining wall stability
- Require a third-party licensed surveyor to confirm anchor trench alignments during liner construction
- Clarify Quality Assurance / Quality Control (QA/QC) requirements
 - Review and revise to ensure consistency with ASTM and industry standards
 - Clarify testing requirements for soil liners and caps



Public Input Session for Env-Sw 800 & Env-Sw 1400

Ideas Under Consideration

Env-Sw 806 Landfill Operating Requirements

- Require sludges to be treated for odors prior to receipt at a landfill
- Require static or white noise backup alarms for machinery when it does not conflict with safety regulations
- Update cover requirements
 - Define and identify details for daily, intermediate and final cover (e.g., intermediate cover must be placed in areas inactive for greater than 30 days)
 - Revise how alternative daily cover (ADC) is included in the rules
- Specify minimum standards directly in the rules instead of in operating plans (e.g., leachate management plan)



Public Input Session for Env-Sw 800 & Env-Sw 1400

Ideas Under Consideration

Env-Sw 806 Landfill Operating Requirements

- Inspections, Maintenance, Monitoring and Reporting:
 - Require litter inspection and removal (e.g., at least once per week)
 - Add to quarterly reports complaint reporting, investigation and resolution
 - Add to quarterly reports a quarterly topographic survey and comparison to permitted vertical and lateral limits
 - Add to leachate reporting, secondary leachate management system analytical characterization (i.e., once per year in July)
 - Add to annual reports capacity evaluation requirements
 - Add an annual odor control evaluation report due August 31 each year
 - Add facility website requirement for public reporting of concerns, and communicating updates
 - Require periodic third-party facility inspections/audits

Public Input Session for Env-Sw 800 & Env-Sw 1400

Ideas Under Consideration

Env-Sw 807 Landfill Closure Requirements

- Prohibit permanent structures on top of landfills
- Add demonstration requirements for changing from an active LFG system to a passive LFG system

Public Input Session for Env-Sw 800 & Env-Sw 1400

Ideas Under Consideration

Env-Sw 808 Landfill Reclamation

- Update to clarify and simplify requirements

Env-Sw 809 Reserved

- No changes under consideration at this time

Env-Sw 810 Permit-Exempt Landfills

- No changes under consideration at this time





Appropriations

Account	Purpose	Article	Appropriations As Voted
General Government			
4130-4139	Executive	10	\$285,091
4140-4149	Election, Registration, and Vital Statistics	10	\$401,628
4150-4151	Financial Administration	10	\$1,028,349
4152	Revaluation of Property		\$0
4153	Legal Expense	10	\$100,000
4155-4159	Personnel Administration	10	\$682,511
4191-4193	Planning and Zoning	10,21	\$339,578
4194	General Government Buildings	10	\$1,284,329
4195	Cemeteries		\$0
4196	Insurance	10	\$77,629
4197	Advertising and Regional Association		\$0
4199	Other General Government		\$0
General Government Subtotal			\$4,199,115
Public Safety			
4210-4214	Police	10	\$3,697,265
4215-4219	Ambulance		\$0
4220-4229	Fire	10	\$4,081,513
4240-4249	Building Inspection	10	\$285,195
4290-4298	Emergency Management		\$0
4299	Other (Including Communications)	10	\$436,862
Public Safety Subtotal			\$8,500,835
Airport/Aviation Center			
4301-4309	Airport Operations		\$0
Airport/Aviation Center Subtotal			\$0
Highways and Streets			
4311	Administration	10	\$585,850
4312	Highways and Streets	10	\$2,118,668
4313	Bridges		\$0
4316	Street Lighting	10	\$169,000
4319	Other	10	\$313,016
Highways and Streets Subtotal			\$3,186,534
Sanitation			
4321	Administration		\$0
4323	Solid Waste Collection	10	\$1,402,523
4324	Solid Waste Disposal		\$0
4325	Solid Waste Cleanup		\$0
4326-4328	Sewage Collection and Disposal		\$0
4329	Other Sanitation		\$0
Sanitation Subtotal			\$1,402,523



Appropriations

Account	Purpose	Article	Appropriations As Voted
Water Distribution and Treatment			
4331	Administration		\$0
4332	Water Services		\$0
4335	Water Treatment		\$0
4338-4339	Water Conservation and Other		\$0
Water Distribution and Treatment Subtotal			\$0
Electric			
4351-4352	Administration and Generation		\$0
4353	Purchase Costs		\$0
4354	Electric Equipment Maintenance		\$0
4359	Other Electric Costs		\$0
Electric Subtotal			\$0
Health			
4411	Administration	10	\$152,117
4414	Pest Control	10	\$1,050
4415-4419	Health Agencies, Hospitals, and Other		\$0
Health Subtotal			\$153,167
Welfare			
4441-4442	Administration and Direct Assistance	10	\$84,806
4444	Intergovernmental Welfare Payments		\$0
4445-4449	Vendor Payments and Other	10	\$98,610
Welfare Subtotal			\$183,416
Culture and Recreation			
4520-4529	Parks and Recreation	10	\$602,375
4550-4559	Library	10	\$1,172,320
4583	Patriotic Purposes	10	\$15,500
4589	Other Culture and Recreation	10	\$18,500
Culture and Recreation Subtotal			\$1,808,695
Conservation and Development			
4611-4612	Administration and Purchasing of Natural Resources	10	\$10,089
4619	Other Conservation	22	\$50,000
4631-4632	Redevelopment and Housing		\$0
4651-4659	Economic Development	10	\$159,558
Conservation and Development Subtotal			\$219,647



Appropriations

Account	Purpose	Article	Appropriations As Voted
Debt Service			
4711	Long Term Bonds and Notes - Principal	10	\$1,125,884
4721	Long Term Bonds and Notes - Interest	10	\$371,703
4723	Tax Anticipation Notes - Interest	10	\$2
4790-4799	Other Debt Service	10	\$1
Debt Service Subtotal			\$1,497,590
Capital Outlay			
4901	Land		\$0
4902	Machinery, Vehicles, and Equipment	08,10,16,19,2 4	\$779,332
4903	Buildings	20	\$50,000
4909	Improvements Other than Buildings	06,15	\$1,904,645
Capital Outlay Subtotal			\$2,733,977
Operating Transfers Out			
4912	To Special Revenue Fund		\$0
4913	To Capital Projects Fund	04,05	\$3,213,000
4914A	To Proprietary Fund - Airport		\$0
4914E	To Proprietary Fund - Electric		\$0
4914O	To Proprietary Fund - Other	26	\$5,000
4914S	To Proprietary Fund - Sewer	04,12,13,14	\$8,772,574
4914W	To Proprietary Fund - Water	04,07,11	\$7,794,370
4915	To Capital Reserve Fund	17,23,25	\$175,000
4916	To Expendable Trusts/Fiduciary Funds	18,27	\$103,900
4917	To Health Maintenance Trust Funds		\$0
4918	To Non-Expendable Trust Funds		\$0
4919	To Fiduciary Funds		\$0
Operating Transfers Out Subtotal			\$20,063,844
Total Voted Appropriations			\$43,949,343



**COMMUNITY
POWER COALITION**
OF NEW HAMPSHIRE
For communities, by communities.



**PUBLIC NOTICE
CUSTOMER NOTIFICATION FOR THE TOWN OF EXETER
COMMENCEMENT OF SERVICE OF EXETER COMMUNITY POWER**

[CUSTOMER NAME]

[ADDRESS LINE 1]

[ADDRESS LINE 2]

Welcome to Exeter Community Power!

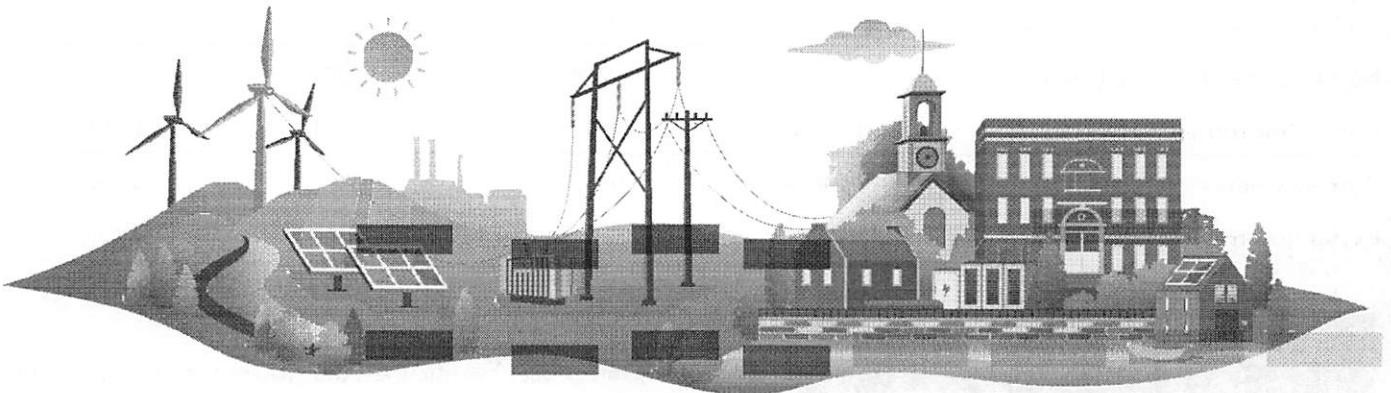
Exeter Community Power gives our town greater energy choices while lowering costs. Voters adopted Exeter's Community Power Plan at Town Meeting. We are now putting that plan into action and launching service this spring to benefit our energy customers.

Attend our Public Information Session on Exeter Community Power:
4/5/23 | 7pm | Exeter Town Office Building (Nowak Room) | 10 Front Street, Exeter, NH 03833

How Community Power Works

Exeter Community Power aggregates, or pools, the buying power of residents and businesses so that together we have the local control to achieve competitively priced electricity.

By accessing the power market, we can offer competitive supply rates and more choices for renewable energy. This helps us control price volatility and enables us to choose which energy sources to buy or build!



Source

Exeter Community Power purchases electricity from the sources you choose.

Delivery

Unitil delivers the electricity using the same power lines and billing mechanisms.

Community

Exeter Energy Customers save money, access new rates & products, and choose how much renewable electricity to buy.



Electricity Supply Choices and Rates

Exeter Community Power offers four electricity options with different levels of renewable energy. Unitil charges most customers 25.925¢ per kilowatt-hour (kWh). Our rates start at 15.8¢ per kWh.

Scan the QR Code or visit Exeter.CommunityPowerNH.gov to choose your power option.

Do I need to take action to benefit from Exeter Community Power?

If Unitil is currently the electricity 'Supplier' listed on your monthly bill, most customers will not need to take any action to participate (limited exceptions are listed on the next page). Unless you opt-out or choose a different option by calling us or visiting our website within 30 days, you will be automatically enrolled into our 'Granite Basic' power option and start saving money on the date Unitil reads your meter between late April and early June 2023. (Your meter reading date is shown on your utility bill.)

Will I continue to receive my Electric Assistance Program discount?

Yes, Electric Assistance Program participants will continue to receive their benefits.

Will I notice any change?

No, you will not notice any change in your electricity service. Unitil will continue to be your electric distribution utility, respond to emergencies, read meters, and maintain the power lines. Reliability and quality of service will remain the same. You will continue to receive one bill and send payments to Unitil for processing. The only difference is that 'Community Power' will be listed as the 'Supplier' on your monthly bill. All other charges and consumer rights and protections are maintained.

My Unitil rate changes monthly. Can Community Power save me money?

Yes. If you currently take service on Unitil's variable monthly supply rates, you are eligible for Exeter Community Power's corresponding monthly rate shown in the table below (¢ / kWh):

	APRIL	MAY	JUNE	JULY
Non-G1 General Service (Unitil)	16.270¢	14.129¢	14.036¢	16.058¢
Exeter Community Power	14.643¢	12.716¢	12.632¢	14.452¢
Domestic Service (Unitil)	16.463¢	14.414¢	13.638¢	15.801¢
Exeter Community Power	14.817¢	12.973¢	12.274¢	14.221¢

You can also opt-up to Granite Plus, Clean 50 or Clean 100 for an additional 0.4¢, 1.1¢, or 3.3¢ per kWh.

Email us at info@CommunityPowerNH.gov to verify your monthly rate. Absent verification that you're currently on Unitil's monthly rate, you'll be enrolled onto our fixed 15.8¢ / kWh rate for Granite Basic.

What are my options? Can I choose a cleaner power option, or decline to participate?

The choice is yours. To choose a cleaner power option or to opt out of Exeter Community Power scan the QR code or visit Exeter.CommunityPowerNH.gov and use the portal under "Electricity Choices" [QR](#) call us at 1-866-603-POWR. Have your Unitil account number handy so we can easily process your selection.

You are always free to choose to buy power from Unitil or from a competitive supplier without penalty or fee for switching if you switch at the next available regular meter reading date. Customers requesting transfer of supply service upon dates other than on their next available regular meter reading date (if such a service is available from Unitil) may be charged an off-cycle meter reading and billing fee by the utility.

ELECTRICITY SUPPLY CHOICES

Residential, G2 General Service & Outdoor Lighting

Fixed supply rates effective through July 31, 2023

Renewable Content	Power Options	Rate ¢/kWh	Estimated Cost*
23.4%	Granite Basic (DEFAULT)	15.8¢	± \$95 / month
33%	Granite Plus	16.2¢	± \$97 / month
50%	Clean 50	16.9¢	± \$101 / month
100%	Clean 100	19.1¢	± \$115 / month
23.4%	Unitil	25.925¢**	± \$156 / month

*Based on usage of 600 kWh per month
**Unitil fixed supply rate for residential customers

EXCEPTIONS TO AUTOMATIC ENROLLMENT

I am a Large General Service customer. How can Community Power benefit me?

Large General Service customers (Class G1 and TOU-EV-G1) will NOT be automatically enrolled but may request to enroll in Exeter Community Power. Contact us at 1-866-603-POWR to discuss your options.

I buy my electricity from a third-party supplier. What does this mean for me?

If Unitil is NOT currently your electricity 'Supplier' (as listed on your monthly bill) you will NOT be automatically enrolled, but you may enroll now or at any time in the future by scanning the QR code, or by calling 1-866-603-POWR, or visiting ExeterCommunityPowerNH.gov and using the portal under "Electricity Choices". Check with your current provider to determine if there are any early termination fees or penalties for leaving their supply service.

I am a Net Metered customer. Can I participate in Exeter Community Power?

At this time, if you are a Net Metered Customer you will NOT be automatically enrolled until such time as Unitil complies with New Hampshire law and regulations to enable Exeter Community Power to serve net metered customers — which we very much want to do!

When Unitil is able to provide us the necessary data (as required by law), we will offer Net Metering rates and terms to compensate or credit customers for the electricity supply component of their net metered surplus generation. Contact us at 1-866-603-POWR to discuss your options.

I am on a three-part Time-of-Use rate. How does this affect me?

If you are on a three-part Time-of-Use rate (Class TOU-D, TOU-EV-D, and TOU-EV-G2 customers) you will NOT be automatically enrolled until such time as Unitil fully complies with New Hampshire law and regulation to allow you to be appropriately served by Exeter Community Power. Contact us at 1-866-603-POWR to discuss your options.



**COMMUNITY
POWER COALITION**
OF NEW HAMPSHIRE
For communities, by communities.

Exeter has joined with more than two dozen other New Hampshire cities and towns to create our own locally accountable nonprofit power agency: the Community Power Coalition of New Hampshire.

The Coalition provides power supply and other services on behalf of its member cities and towns, ensuring revenues are managed in the public interest. The Town of Exeter appoints representatives to the Coalition's Board of Directors to oversee the agency's governance and finances. Board and Committee meetings are open to the public.

Through the Coalition, we access the expertise to ensure the highest quality service for customers, and the collective leadership to drive important policy improvements at the state level for a stronger and cleaner New Hampshire energy economy.

How often will Exeter Community Power's rates change?

Exeter Community Power will set and adjust rates with the objective of saving you money, by offering you at least one supply option at a discount relative to your utility supply rate (along with 'opt up' choices). Our default rates will change for the next Unitil rate period, scheduled from August 1, 2023 through January 31, 2024.

Our rates are set through Community Power Coalition of New Hampshire, the public non-profit governed by New Hampshire cities, towns and counties, including the Town of Exeter. All future default rate changes will be publicly noticed at least 30 days in advance.

ENVIRONMENTAL DISCLOSURE LABEL

Electric providers are required by the New Hampshire Public Utilities Commission to provide customers with an environmental disclosure label with information to evaluate services offered by competitive suppliers and electric utilities, and to provide information about the environmental and public health impacts of electric generation. Further information can be obtained by calling your electric utility or competitive electric supplier or by contacting the Public Utilities Commission. Additional information on disclosure labels is also available at www.puc.nh.gov or on your electric provider's website.

The Coalition has contracted for electricity supply from **System Power contracts** on behalf of Exeter Community Power, and will procure **Renewable Energy** (New Hampshire Renewable Portfolio Standard Renewable Energy Credits) in the following proportions depending on the product you choose.

The electricity you consume comes from the New England power grid, which receives power from a variety of power plants and transmits the power as needed to meet the requirements of all customers in New England. When you choose a power supplier, that supplier is responsible for generating and purchasing power that is added to the power grid in an amount equivalent to your electricity use.

- ⚡ **"Known Resources"** include resources that are owned by, or under contract to, the supplier.
- ⚡ **"System Power"** represents power purchased in the regional electricity market.
- ⚡ Electric suppliers are required to obtain a certain amount of **renewable energy** in accordance with RSA 362-F, the state's renewable portfolio standard law. They may also choose to obtain amounts of renewable energy above their legal obligation.

System Power Sources and **Emissions** are reported as specified in the system mix report available from the New England Power Pool Generation Information System (NEPOOL GIS, for Q3 2021 through Q2 2022):

- ⚡ Carbon Dioxide (CO₂) is a greenhouse gas, released when certain fuels are burned (e.g., coal, oil, natural gas), that contributes to climate change.
- ⚡ Nitrogen Oxides (NO_x) form when certain fuels are burned at high temperatures, and contributes to acid rain, ground-level ozone (or smog), oxygen deprivation of lakes and coastal waters, and may cause respiratory illness (with frequent high level exposure).
- ⚡ Sulfur Dioxide (SO₂) is formed when fuels containing sulfur are burned (e.g., coal and oil), and contributes to acid rain (which raises the acidity of lakes and streams, and accelerates the decay of buildings and monuments) and health effects (primarily asthma, respiratory illness, and cardiovascular disease).

SUPPLIER RENEWABLE ENERGY

Granite Basic	23.4%
Granite Plus	33%
Clean 50	50%
Clean 100	100%

KNOWN RESOURCES	0%
SYSTEM POWER	100%
	100%

SYSTEM POWER SOURCES

Supplier / NEPOOL System Mix	
Biomass	1.61%
Coal	0.28%
Hydro	10.49%
Imports	11.85%
Landfill Gas	0.86%
Municipal Waste & Trash	2.29%
Natural Gas	36.49%
Nuclear	18.63%
Oil, Diesel & Jet Fuel	5.73%
Other Renewables	1.92%
Solar PV & Thermal	4.48%
Wind	5.35%
	100%

SYSTEM POWER EMISSIONS

Supplier / NEPOOL System Average	
Carbon Dioxide	648 lbs/MWh
Nitrogen Oxides	0.56 lbs/MWh
Sulphur Dioxides	0.34 lbs/MWh

*lbs/MWh = pounds per Megawatt-hour
1 Megawatt-hour = 1,000 kilowatt-hours*

PUBLIC ADVOCACY

Exeter Community Power and the Coalition represent your interests before state policymakers and regulatory agencies, including the Public Utilities Commission (a quasi-judicial board that supervises New Hampshire's electric distribution utilities). The Coalition estimates that **building community-scale renewables and battery storage systems across New Hampshire may save up to 30%** compared with power purchased and delivered from the New England regional electricity market. Unlocking this opportunity requires the political will to put in place new market mechanisms that appropriately compensate local projects for the benefits they create for our customers and communities. **Sign up to receive the Coalition's 'Action Alerts' and join our campaigns to advance energy reforms at:** www.cpcnh.org/community-leader-sign-up



EXETER FIRE DEPARTMENT

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

www.exeternh.gov

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

INTEROFFICE MEMORANDUM

TO: RUSS DEAN, TOWN MANAGER
FROM: ERIC WILKING, CHIEF OF DEPARTMENT
SUBJECT: FD VEHICLE/EQUIPMENT DELIVERIES
DATE: MARCH 30, 2023
CC SELECT BOARD

Russ, as we continue to emerge from the pandemic many large equipment and vehicle deliveries remain affected by shortages of raw materials, component parts such as microchips, and reduced workers available. Adding to the delays in delivery is the sheer volume of orders. Pandemic era grants such as ARPA have allowed many communities to take advantage of state and federal funds to replace equipment and apparatus that may have been previously delayed, causing delivery dates to be much longer than anticipated.

Below is a summary of equipment and apparatus approved at the 2022 and 2023 town meetings.

2022 –

36 Scott Breathing Apparatus (SCBAs) were approved. After an RFP process ordered on March 23, 2022, delivered on February 13, 2023, and recently placed in service after all personnel were fit tested and received necessary training in the use and care of the equipment.

A new Ford F-250 pickup truck was approved. This vehicle was actually ordered in November 2021 with no obligation to buy if it was not approved. This vehicle was delivered on January 11, 2023, is currently being fitted with a cap for the bed and pull-out tray. The radio and lights will be installed over the next couple of months, with an anticipated completion of May/June 2023.

A new fire engine/pumper was approved. The engine was ordered on March 31, 2022 from Greenwood Emergency Vehicles, a very reputable dealer for E-ONE fire apparatus. During the preconstruction meeting it was anticipated the vehicle would be delivered in approximately 570 days (19 months), or around December 2023. Delays in production have pushed the anticipated delivery date out to April, 1 2024 (24 months).

On August 19, 2022 an RFP was created asking for proposals to build a new ambulance. After review the select board approved the recommendation to purchase a new WheeledCoach ambulance with funds from the EMS/Ambulance Revolving Account at the October 11, 2022 meeting. The ambulance was ordered on October 19, 2022 with an anticipated delivery in approximately 18 months (April 2024).

2023-

A new Hybrid Ford Explorer was approved. We found one and have taken delivery of a 2022 model year left-over the McGovern Ford in Framingham, MA. This vehicle will be up-fitted with radios and equipment over the next couple months and placed in service to replace the 2012 Jeep Patriot.

"A Tradition of Service"

While the delays in delivery we have experienced are certainly frustrating, they have not significantly affected public safety to date. We continue to use the 2010 Ford Expedition until the Ford F-250 pickup is placed in service, and we have maintained the current fleet of engines and ambulances to serve the residents of the town.

While no one can accurately predict future repair and maintenance costs of these aging vehicles, today all is good and we will continue to work with Harry Lindsay and the public works department to keep the vehicles safe and operational.

I look forward to answering any questions you or the select board may have at the April 3rd select board meeting.

A handwritten signature in blue ink, appearing to be "Eric", written in a cursive style.

Town Manager's Report

Select Board Committee Reports

Correspondence

MAR 27 2023

Received



THE EXETER SPORTSMAN'S CLUB, Inc.

P.O. Box 1936
111 Portsmouth Avenue
Exeter, New Hampshire 03833
(603) 772-7468
www.exetersportsmansclub.com

March 21, 2023

Exeter Select Board
C/O Town Manager Russ Dean
10 Front Street
Exeter NH 03833

Subject: Annual Report to Exeter Select Board for 2022-2023

Dear Honorable Select Board:

In accordance with the requirements presented in Paragraph 13 of the Lease Agreement between the Town of Exeter and the Exeter Sportsman's Club, Inc. (ESC), please find below our Annual Report for our fiscal year April 01, 2022 thru March 31, 2023

Town of Exeter Residency

- **General Membership:** 28.45% of our members are residents of the town of Exeter NH. This fulfills the requirement of our lease that at least 20% of members be residents of Exeter.
- **Board of Directors:** Of our 15 Board of Directors, 5 are residents of the town of Exeter NH. This fulfills the requirement of our lease that at least 2 members of our Board of Directors be residents of Exeter.

Activities of Civic Benefit

This past years Fishing Derby was a big success for youth and elderly grandparents in May of 2022. We pre-registered 93 children for this event and had 134 children show up. We always accommodate walk-ins. We pay all costs associated with this event and never charge registrants.

ESC continued to provide free membership to members of the armed forces who are on active duty. Some members of the United State Coast Guard (USCG) continue to use the range to hone their shooting skills.



THE EXETER SPORTSMAN'S CLUB, Inc.

P.O. Box 1936

111 Portsmouth Avenue

Exeter, New Hampshire 03833

(603) 772-7468

www.exetersportsmansclub.com

ESC continues to provide complimentary shooting rights at any time during range operating hours, to all members of the Exeter and Stratham Police Departments so they can sharpen their shooting skills and qualify, whenever they feel it is necessary. This is in addition to the time required under the provisions of the current lease agreement for the Exeter Police Department. The Exeter Police Department regularly utilizes our range for qualifications of their members. The Exeter Police Department and Stratham Police Departments enjoy the use of our facility and the fact that there aren't many ranges left to utilize and hone their skills in the region.

Safety & Firearms Training

Two Hunter Education classes were conducted in 2022, graduating 36 students who qualified for different disciplines in both archery and firearms licenses under new NHFG guidelines. 3 offerings (all one-day Field Classes for on-line Hunter Ed program) were also conducted. According to the New Hampshire Fish and Game (NHFG) reports, a steep decline in firearm accidents as a result of the emphasis on firearm safety in the Hunter Education Program. Hunting has become one of the safest activities in America.

- ESC provided NRA certified training in Basic Pistol, Basic Rifle, Personal Protection in the Home (PPIH) and Personal Protection Outside the Home (PPOH) to a total 21 students. All of these programs place heavy emphasize on firearm safety.
- ESC continues to provide NRA certified training officers and/or NRA certified range safety officers to youth groups (CAP, BSA, 4H, etc.) seeking firearms qualifications.
- ESC reconfigured archery range in 2021 to reflect official archery guidelines.
- Held first archery course, introduction to archery, in response from membership and others. The archery program was expanded in 2022 noting the demand for the program. We had five (5) classes and 35 students in 2022 for this program.
- Installed improved camera system on all ranges and common areas for safety and security monitoring
- Surveyed existing perimeter safety fence (property lines) and repaired damaged sections and signage.
- Rebuilt a small portion of the main backstop that had been damaged (wear and tear with weather) to maintain safety standards.



THE EXETER SPORTSMAN'S CLUB, Inc.

P.O. Box 1936

111 Portsmouth Avenue

Exeter, New Hampshire 03833

(603) 772-7468

www.exetersportsmansclub.com

Youth Programs

- The ESC continue to have a vibrant Civil Air Patrol (CAP) youth program. Unfortunately this program was suspended in 2020, 2021, and 2022 due to Covid-19. We await what 2023 will bring us.

We usually assist several Boy Scouts in completing their Rifle merit badge requirements. As NRA certified instructors we are authorized by the Boy Scouts of America (BSA) to "sign off" on the requirements for that badge. Unfortunately this program was suspended due to Covid-19.

ESC has expanded our new member orientation to two full hours with special emphasis on new members being "range safe". All new members are interviewed to determine their shooting experience and those judged to be lacking are assigned a mentor to improve their safety skills.

All new members are required to have a background check by the New Hampshire State Police or be a holder of a valid NH concealed carry permit which results in the same background check being performed when the permit was issued. This procedure insures that our members are properly vetted, and entitled to use the range exercising their 2nd amendment rights when vetted.

We are up to date on our environmental plan including policy review and actions. Soil pH readings were taken at designated locations in accordance with our plan (annually) and we apply Ag Lime to correct pH levels in needed areas when necessary to bring them back to neutral.

Collectively, all of the ESC programs (NRA Certified Programs, Hunter Education, Youth, New Member Orientations, etc.) trained in excess of 92 individuals in the safe handling and storage of firearms and archery equipment last year.

The ESC strives to exceed in safety/education requirements in order to prevent injuries to our members and guests while participating in this great sport which is enjoyed by many Exeter residents whom are members and their guests.



THE EXETER SPORTSMAN'S CLUB, Inc.

P.O. Box 1936
111 Portsmouth Avenue
Exeter, New Hampshire 03833
(603) 772-7468
www.exetersportsmansclub.com

We hope that this year will bring back some normalcy to our lives from Covid-19.

If you have any questions regarding this report please feel free to contact me directly.

Timothy D. Copeland
President Exeter Sportsman's Club
603-580-1998 home



TOWN OF STRATHAM

Incorporated 1716

10 Bunker Hill Avenue · Stratham, NH 03885

Town Clerk/Tax Collector 603-772-4741

Select Board's Office/ Administration/ Assessing 603-772-7391

Code Enforcement/Building Inspections/Planning 603-772-7391

STRATHAM PLANNING BOARD Notice of Preliminary Consultation Application TOWN OF STRATHAM

The Stratham Planning Board will hold a public meeting on April 5, 2023 at 7 PM at the Stratham Municipal Center, 10 Bunker Hill Avenue, Stratham, NH to consider a Preliminary Consultation application for the following proposal:

1. Boulders Realty Corp. (Applicant and Owner), Request for Preliminary Consultation for a proposed housing development consisting of 58 two-bedroom single-family condominium housing units at 13 and 15 Stoneybrook Drive, Zoned Special Commercial. Application submitted by Jones & Beach Engineers, Inc., P.O. Box 219, Stratham, NH 03885.

A Preliminary Consultation is a non-binding discussion with the Planning Board. It is not a public hearing and the Planning Board will not render any decisions related to the application. The meeting simply provides the applicant the opportunity to present a conceptual plan and obtain preliminary feedback from the Planning Board. As an abutting property owner, you are being notified of the Planning Board meeting at the request of the applicant.

The proposed plans, application materials, and/or amendment language are on file with the Stratham Planning Department. For more information, including to view the application materials or to request special accommodations to participate in the meeting, please contact the Planning Department at (603) 772-7391.

Town Manager's Office

MAR 28 2023

Received

RECEIVED

MAR 27 2023

EXETER PLANNING OFFICE

Select Board Representatives: Boards - Commissions - Committees

Niko Papakonstantis	Chair	2025
Molly Cowan	Vice Chair	2024
Julie Gilman	Clerk	2025
Nancy Belanger		2026
Dan Chartrand		2026

Planning Board

Nancy Belanger	SB Rep.	Term
Dan Chartrand	SB Rep. Alt.	Term

Recreation Advisory Board

Molly Cowan	SB Rep.	Term
Nancy Belanger	SB Alt.	Term

Conservation Commission

Nancy Belanger	SB Rep.	Term
Niko Papakonstantis	SB Alt.	Term

Heritage Commission

Julie Gilman	SB Rep.	Term
--------------	---------	------

Historic District Commission

Julie Gilman	SB Rep	Term
--------------	--------	------

Rockingham Planning Commission

Julie Gilman	SB Rep.	Term
--------------	---------	------

Swasey Parkway Trustees

Niko Papakonstantis	SB Rep.	Term
Dan Chartrand	SB Alt.	Term

Communications Advisory Committee

Molly Cowan	SB Rep.	Term
Nancy Belanger	SB Rep.	Term

Energy Committee

Julie Gilman	SB Rep.	
Niko Papakonstantis	SB Alt.	

Facilities Committee

Dan Chartrand	SB Rep.	Term
Julie Gilman	SB Alt.	Term

Housing Advisory Committee

Nancy Belanger	SB Rep.	Term
Dan Chartrand	SB Alt.	Term

River Advisory Committee

Niko Papakonstantis SB Rep. Term

Sustainability Advisory Committee

Dan Chartrand SB Rep. Term

Niko Papakonstantis SB Alt. Term

Water/Sewer Advisory Committee

Molly Cowan SB Rep. Term

Tree Committee

Niko Papakonstantis SB Rep. Term

Arts and Culture Advisory Commission

Julie Gilman SB Rep. Term



State of New Hampshire
Town of Kensington

95 Amesbury Road
Kensington, NH 03833

March 20, 2023

David Hisz
Community Well Siting | Large Groundwater Withdrawal Permitting
NHDES Drinking Water & Groundwater Bureau
25 Hazen Drive
Concord, NH 03302-0095

RE: Town of Exeter Large Groundwater Withdrawal Permit

Dear David Hisz,

On behalf of the town of Kensington, this Board would like to officially register our concern regarding the Large Groundwater Withdrawal Permit applied for by the Town of Exeter.

It is important to note that Kensington is a small town, lacking the commercial or industrial tax base that would both necessitate and enable a municipal water system. Our residents, small businesses, and public operations are entirely dependent upon private wells. Those wells draw from the aquifer system that exists beneath the town of Kensington and extends into neighboring communities. Two of those towns, Seabrook and Exeter, draw from that shared groundwater to supply their municipal water systems. The primary pumping station and treatment facility for Seabrook sits just across our southeastern border and extracts nearly 400 million gallons of groundwater annually. By means of comparison, the operating budget for the Seabrook water system is roughly equivalent to the operating budget for the entire town of Kensington. As Seabrook continues to grow and develop, including contemplation of extension of commercial water supply into Hampton Falls, our residents and officials are wary of the increased demand on our shared aquifer.

Exeter also continues to experience growth and the potential for exportation of water to the commercial district along Portsmouth Avenue in Stratham. The removal of Great Dam and the reduction in impounded surface water for municipal treatment has also accelerated the demand for groundwater to supply the Exeter system. Like Seabrook, Exeter currently pumps nearly 400 million gallons of groundwater per year from the aquifers beneath our towns. Combined, these two neighbors already draw close to a billion gallons of water every year from our shared groundwater supply. Obviously, we understand that state law, judicial precedent, and common sense consider this water to be a shared resource. Our only concern is that as such, it is stewarded wisely and sustainably so that all of us can continue to access safe and clean drinking water.

Specifically, the Town of Kensington would like to request the following:

1. That any preliminary testing of wells be offered to the residents of Kensington with wells located within the broadest defined potential impact zone.

Town Manager's Office

MAR 23 2023

Received

2. That testing be conducted to determine what impact, if any would occur in regard to the pond located on Drinkwater Road and under the shared ownership of James and Susan Varn and Unutil. This body of water is a primary fire pond for the Kensington Fire Department and a critical resource for public safety.
3. Clarification as to whether the introduction of this well would trigger the creation of any federal or state overlay districts for aquifer protection that could potentially impact the property rights or values of any Kensington residents within such a zone.
4. Clarification as to what restitution options would exist for any residents in the potential impact area who experience negative effects on their well performance should this project be approved.

Looking at what is happening in the western United States and around the world, access to fresh water is a significant and worsening issue, aggravated by the pressures of population growth, commercial development, and climate change. Our residents, and we as their elected representatives, are anxious that the water needs of smaller communities like ours, that lack the financial resources or political clout of our larger neighboring towns, are not casualties of the growing needs of those municipalities.

We appreciate your prompt response to the above and look forward to working together to ensure that this proposed project will have no impact on the people of Kensington.

Respectfully,

The Kensington Board of Selectmen



Joe Pace, Chairman



Robert Solomon



Robert Gustafson

Cc: **Town of Exeter** Town Manager and **Board of Selectmen**
James Emery, Emery and Garret
State legislators for Kensington and Exeter
Donahue, Tucker & Ciandella



Russ Dean <rdean@exeternh.gov>

Documentation of Notice of CPA Commencement of Services

clifton.below@cpcnh.org <clifton.below@cpcnh.org>

Wed, Mar 29, 2023 at 11:28 AM

To: ClerksOffice@puc.nh.gov, Energy-Litigation@energy.nh.gov, donald.m.kreis@oca.nh.gov, ocalitigation@oca.nh.gov, CommunityAggregation <CommunityAggregation@unitil.com>, CommunityAggregation@libertyutilities.com, CommunityAggregation@nhec.com, SupplierServicesNH@eversouce.com, registrations@energy.nh.gov, "Borden, Doreen" <Doreen.M.Borden@puc.nh.gov>

Cc: "Brown, Doria" <brownd@nashuanh.gov>, Shaun Mulholland <Shaun.Mulholland@lebanonnh.gov>, elizabeth.r.nixon@energy.nh.gov, warren.boutin@eversource.com, jessica.chiavara@eversource.com, Daryush.Donyavi@eversource.com, Aaron.Downing@eversource.com, sandra.gagnon@eversource.com, citymanager@claremontnh.com, katherine.provencher@eversource.com, alex.torpey@hanovernh.org, eac@harrisvillenh.org, tony.cassady@gmail.com, dori.drachman@gmail.com, rstiltskin@msn.com, joel.huberman@gmail.com, edjuengst@gmail.com, nmacstay@peterboroughnh.gov, menadeau@comcast.net, bruce@2cker.com, plainfield.ta@plainfieldnh.org, mscruton@town.rye.nh.us, bbergeron@town.rye.nh.us, Peggy Pschirrer <605andersonpl@gmail.com>, rdean@exeternh.gov

TO: NH PUC Clerk's office,

Attached please find a letter to the PUC transmitting our attached original emails of 3/6 and 3/7/23 providing notice of commencement of services of CPA services for 10 member municipalities. This is being sent at the PUC Clerk's office request that the notice be put in PDF format for postings to the dockets for these member EAPs.

The people copied on this email are those that were on a service list for the 10 dockets listed in the attached, which were the PUC dockets for approval of Electric Aggregation Plans (EAPs) for the 10 Members launching services in the last few days of April or in May.

Pursuant to current PUC direction, this filing is only being made electronically.

Clifton Below

Chair, Community Power Coalition of NH ❖ Assistant Mayor, City of Lebanon

personal office: 1 COURT ST, STE 300, Lebanon, NH 03766-1358

(603) 448-5899 (O), 667-7785 (M) ❖ CPCNH.org ❖ www.linkedin.com/in/clifton-below

 **CPCNH Letter to PUC transmitting notificaiton of CPA launch.pdf**
820K



**COMMUNITY
POWER COALITION**
OF NEW HAMPSHIRE
For communities, by communities.

c/o Sustainability Director
Town of Hanover,
41 S Main Street
Hanover, NH 03755

March 29, 2023

Clerk's Office c/o
New Hampshire Public Utilities Commission
Commissioner's Office
21 S. Fruit Street Suite 10
Concord, NH 03301-2429

Re: Notification of CPA Commencement of Service

To whom it may concern,

On March 6 and 7, 2023, the Community Power Coalition of New Hampshire (CPCNH) provided the attached email 45-day notice of CPA commencement of service on or after April 21, 2023, to the Commission, the OCA, the NH Department of Energy, and all four of NH's electric distribution utilities pursuant to Puc 2204.04. We will now not enroll any customers before 4/25/23.

CPCNH is a governmental instrumentality of its member communities and under contractual obligation to serve as agent and operator of the 10 CPA program for the purpose of launching and administering CPA services, largely on an opt-out basis starting in late April or early May of this year. The 10 launching communities and the docket number for approved EAPs for each is listed below.

1. City of Lebanon, DE 21-143
2. City of Nashua, DE 22-086
3. Town of Enfield, DE 22-062
4. Town of Exeter, DE 22-063
5. Town of Hanover, DE 21-136
6. Town of Harrisville, DE 21-141
7. Town of Peterborough, DE 22-067
8. Town of Plainfield, DE 22-079
9. Town of Rye, DE 22-001
10. Town of Walpole, DE 22-065

We were not aware of the PUC's desire to post this notice to the respective EAP dockets when we first sent this notice. We are now copying this to those service lists with this letter and attached emails in PDF format to facilitate postings.

Yours truly,

Clifton Below

Chair, CPCNH, (603) 448-5899, Clifton.Below@CPCNH.org

Clifton.Below@cpcnh.org

From: clifton.below@cpcnh.org
Sent: Monday, March 6, 2023 7:01 PM
To: registrations@energy.nh.gov; Energy-Litigation@energy.nh.gov; ClerksOffice@puc.nh.gov; 'PUC - OCA Litigation'; SupplierServicesNH@eversouce.com; CommunityAggregation@nhec.com; 'CommunityAggregation'; CommunityAggregation@LibertyUtilities.com
Cc: 'Chiavara, Jessica A'; taylorp@unitil.com; 'Michael Sheehan'; 'clarkj@nhec.com'; 'Samuel Golding'; 'Michael Postar'; peter.kulbacki@hanovernh.org; eac@harrisvillenh.org; 'Clifton Below'; brownd@nashuanh.gov; Joel.Huberman@gmail.com; evan.oxenham@gmail.com; nicholas.devonshire@gmail.com; lisacsweet@comcast.net; lew_0202@yahoo.com
Subject: RE: Puc 2204.04 NOTICE of CPA Commencement of Service
Flag Status: Flagged

I inadvertently left the NH Department of Energy off the original email so I am resending, although with fewer recipients than originally copied to.

Clifton Below

Chair, Community Power Coalition of NH ❖ Assistant Mayor, City of Lebanon
personal office: 1 COURT ST, STE 300, Lebanon, NH 03766-1358
(603) 448-5899 (O), 667-7785 (M) ❖ CPCNH.org ❖ www.linkedin.com/in/clifton-below

From: clifton.below@cpcnh.org <clifton.below@cpcnh.org>
Sent: Monday, March 6, 2023 5:49 PM
To: ClerksOffice@puc.nh.gov; 'PUC - OCA Litigation' <ocalitigation@oca.nh.gov>; SupplierServicesNH@eversouce.com; CommunityAggregation@nhec.com; 'CommunityAggregation' <CommunityAggregation@unitil.com>; CommunityAggregation@LibertyUtilities.com
Cc: 'Chiavara, Jessica A' <jessica.chiavara@eversource.com>; taylorp@unitil.com; 'Michael Sheehan' <Michael.Sheehan@libertyutilities.com>; 'clarkj@nhec.com' <clarkj@NHEC.com>; Samuel Golding <golding@communitychoicepartners.com>; 'Michael Postar' <MRP@dwgp.com>; townmanager@enfield.nh.us; kmurphy@exeternh.gov; peter.kulbacki@hanovernh.org; eac@harrisvillenh.org; 'Clifton Below' <Clifton.Below@lebanonnh.gov>; brownd@nashuanh.gov; joel.huberman@gmail.com; plainfield.ta@plainfieldnh.org; tompfau15@gmail.com; jdaigle@walpolenh.us; townmanager@enfield.nh.us; rdean@exeternh.gov; alex.torpey@hanovernh.org; NashuaMayor@NashuaNH.gov; Joel.Huberman@gmail.com; menadeau@comcast.net; nmacstay@peterboroughnh.gov; evan.oxenham@gmail.com; mscruton@town.rye.nh.us; dennis71nk33@gmail.com; lew_0202@yahoo.com; dmelone@peterboroughnh.gov; jecourtney820@gmail.com; 'April Salas' <april.salas@hanovernh.org>; nicholas.devonshire@gmail.com; jgilman@exeternh.gov; andrewmaneval@gmail.com; steve@imbyenergy.com; lisacsweet@comcast.net; kaletfamily@comcast.net
Subject: Puc 2204.04 NOTICE of CPA Commencement of Service
Importance: High

Pursuant to Puc 2204.04 I am writing to provide official Notification of Community Power Aggregation Commencement of Service not sooner than 45 days hence, or on or after April 21, 2023 for the following Member municipalities for which the Community Power Coalition of New Hampshire serves as agent for purposes of implementing and operating their CPA programs:

1. City of Lebanon
2. City of Nashua
3. Town of Enfield

4. Town of Exeter
5. Town of Hanover
6. Town of Harrisville
7. Town of Peterborough
8. Town of Plainfield
9. Town of Rye
10. Town of Walpole

All four utilities noticed on this email serve some portion of some of these communities. Each municipality will be launching primarily on an opt-out alternative default service provider basis, although some groups of customers may be offered service only on an opt-in basis, particularly those that cannot be properly served by CPAs at present due to lack of Puc 2200 rule compliance by the utilities, including net energy metered and supply TOU-rate customers.

If you have any questions about this notice, please do not hesitate to be in touch.

Clifton Below

Chair, Community Power Coalition of NH ❖ Assistant Mayor, City of Lebanon

personal office: 1 COURT ST, STE 300, Lebanon, NH 03766-1358

(603) 448-5899 (O), 667-7785 (M) ❖ CPCNH.org ❖ www.linkedin.com/in/clifton-below

House Finance Committee to Vote on Proposed Biennial State Budget

This week the three divisions of the House Finance Committee completed their review of the governor's proposed budget, amending, deleting, and adding to the budget line items in **HB 1** and associated provisions in **HB 2**, the companion budget "trailer" bill. On **Monday, Tuesday, and Wednesday** of next week, starting each day at **10:00 a.m. in LOB Room 210-211**, the three divisions will brief the full House Finance Committee on the budget changes recommended by each division. The Finance Committee will then vote on the recommended biennial budget, which will be presented to the House on Thursday, April 6, the last day to act on all House bills before crossover. Assuming the House passes **HB 1** and **HB 2**, the House version of the budget will go to the Senate, where the detailed deliberations will begin all over again with members of the Senate Finance Committee.

Although the divisions have finalized their recommendations, we are likely to see budget amendments proposed next week before the final House Finance Committee vote—and we can't predict what those may be as there are a number of ideas swirling around the halls of the State House! However, we can tell you where things stand right now in terms of funding for cities and towns:

- Meals and Rooms Tax Dedicated Fund: current *estimates* of the Meals and Rooms tax distribution are about \$121 million in FY 24 and \$123 million in FY 25. Exact amounts per year will be determined by actual state revenue collected as of June 30 each year. Monthly state revenue reports can be accessed [here](#).
- Highway Block Grants: \$5.6 million less over the biennium compared to the last budget. (Exact amounts per year will be based on twelve percent of revised revenue estimates from the gas tax and motor vehicle fine revenues.)
- Municipal Bridge Aid: \$6.8 million each year of the biennium, which should fund repairs or replacement of approximately 6 to 10 bridges each year of the biennium.
- State Aid Grants (SAG): \$27.9 million from state surplus over the biennium would fund the state share for wastewater projects identified in the 2023 [SAG Project Priority List](#) issued by the Department of Environmental Services.
- Flood Control: \$830,000 would be available for reimbursements to municipalities involved in flood control compacts each year.
- Housing Initiatives: \$15 million would be allocated to fund grants to municipalities through InvestNH, reducing the governor's proposal of \$30 million. (Also see the article on State Investments in Housing, below.)
- Land and Community Heritage Investment Program (LCHIP): \$5 million would be allocated in level funding.
- State and Local Cybersecurity Grant Program: \$1.2 million for FY 24 and \$1.6 million for FY 25 would be appropriated for the state match to a federal cybersecurity grant, which will provide direct grants for cities and towns.
- State payment toward retirement system unfunded liability (UAAL): \$50 million in a one-time payment would be appropriated to reduce the UAAL and employer costs.
- Retirement System Contribution: no funding is proposed to restore the state share of employer costs.
- Municipal Aid: no funding is proposed.
- Revenue Sharing, RSA 31-A: this statutory obligation, which would return a portion of state general fund revenue to cities and towns, remains suspended in **HB 2**.

Of course, because we are only about halfway through the state budget process, there are likely many more changes to come. Keep reading the *Bulletin* for updates as this process progresses.

Attorney's Fees Bill Set for Hearing

HB 307, relative to attorney's fees in actions under the Right-to-Know Law, has been scheduled for a hearing in the **Senate Judiciary Committee, State House Room 100**, on **March 28 at 1:45 p.m.** NHMA *opposes* **HB 307**.

In short, **HB 307** would require the governmental entity to bear the cost of resolving gray areas of the Right-to-Know Law if the plaintiff wins. As the Department of Justice noted in its fiscal note, **HB 307** "would remove the requirement that the court find that the public body or public agency knew or should have known the conduct engaged in was a violation of RSA 91-A before awarding attorney's fees. Without this additional finding, [DOJ] assumes the bill would result in a court awarding attorney's fee any time a petitioner was successful in obtaining a judgment that a violation of RSA 91-A occurred."

2023 NHMA Legislative Bulletin 13

March 24, 2023

Inside this Issue

[Attorney's Fees Bill](#)

[Housing Update](#)

[Retirement Update](#)

[Hearing Schedule](#)

[NHMA Events](#)

GOVERNMENT AFFAIRS CONTACT INFORMATION

Margaret M.L. Byrnes
Executive Director

Natch Greyes
Government Affairs Counsel

Katherine Heck
Government Finance Advisor

Jonathan Cowal
Municipal Services Counsel

Timothy W. Fortier
Communications Coordinator

Pam Valley
Administrative Assistant



25 Triangle Park Drive
Concord NH 03301
603.224.7447
governmentaffairs@nhmunicipal.org

NHMA supports the purposes of the Right-to-Know Law and measures to make the law clearer, but does not support legislation that subsidizes taxpayer lawsuits against the government to resolve gray areas of the law. There are areas of the Right-to-Know Law where the rules for how the government is to comply have not been clearly articulated; and one example is the process for review of sealed minutes, which this year's HB 321 (also being heard in Senate Judiciary on March 28, but at 2:00 p.m.) would address.

NHMA is *supporting* HB 321 because we recognize— as attested to by our legal services division— that municipalities aren't sure what to do, and HB 321 is largely based on NHMA's best practices for review of sealed minutes. But we recognize that our best practice is not the only *possible* or, even, *reasonable* practice under existing law.

It would be *unreasonable*, however, to suggest that a municipality that engaged in a different, reasonable practice should be obliged to pay for the attorney's fees of the person suing the municipality because that person doesn't like the municipality's attempt to comply with an unclear law. Yet, under HB 307, if the municipality does not accurately predict the court's ruling in that lawsuit, taxpayers *would* be responsible for the suing party's attorney's fees.

We've given just one example of a gray area of the Right-to-Know Law, but other areas exist. In part, that's why the legislature created the Right-to-Know Ombudsman last year. And there is hardly a year that goes by where the New Hampshire Supreme Court doesn't rule on an outstanding question of how to interpret some provision of the Right-to-Know Law. If the municipality makes a reasonable argument, but still gets it wrong, under HB 307, it would be responsible for paying for that litigation.

That's very different than existing law. Existing law already ensures that bad faith violations of the Right-to-Know Law see the government entity pay for the litigation costs of the other side. Existing law encourages governmental actors to train their employees and officials and to follow the law, while also encouraging those who seek to resolve gray areas of the law to appeal to the legislature for clarity—as with HB 321—rather than appeal to the courts to divine legislative intent.

Support State Investments in Housing

Housing—ideas about how to create more of it and how to make it affordable—continues to be a topic of debate at the legislature. The Speaker of the House even created the Special Committee on Housing, which has heard presentations from a variety of affordable housing stakeholders in the state.

Under our member-adopted Legislative Policies, NHMA supports measures that enable municipalities to find innovative ways to ensure an adequate supply of housing—including legislation which promotes a collaborative approach between the state, municipalities, and other key stakeholders to address the state's housing shortage—and supports financial incentives to municipalities to encourage development of diverse and affordable housing.

This is why NHMA is supporting both SB 145, the Housing Champions program, and continuance of the InvestNH program, as proposed in HB 2. Both programs build on the concept of InvestNH, which provides several grant opportunities to cities and towns to support the development of housing. Additionally, SB 231 would appropriate money to the Affordable Housing Fund and to the Bureau of Economic Affairs (BEA) the purpose of improving the ability to accelerate the approval of affordable workforce housing.

InvestNH has been well received by municipalities and developers, reinforcing the need for state investment—and state-local partnerships—in addressing a statewide issue (even a nationwide issue) like housing. Although not all of the funds allocated from the governor's program have been dispatched to applicants, significant portions of the funds are "in the pipeline" due to applications that are under review or awaiting final approval and payment. For example, the "per unit" grants for housing projects approved within six months of permitting are in progress but cannot be paid until a project is complete and the Governor & Council approve the payments. Many applications for demolition grants have also been submitted and are under review. Based on the current response to the InvestNH, this program is on its way to being a success and we're excited to see how this can benefit New Hampshire communities.

As of now, funding for InvestNH remains in HB 2, with Finance Division I positioned to recommend that all grant funding under the program go directly to municipalities. SB 231 has been passed and tabled by the Senate, and SB 145 will go back to the Senate next week with a 7-0 Ought to Pass recommendation from Senate Finance—presumably to pass and then be tabled. We encourage our members to continue to reinforce the need for state investments in housing and the municipal infrastructure needed to support housing.

Retirement System Legislation Still in Play

This week, the House took actions to move forward bills that would impact the NH Retirement System (NHRS) costs for cities and towns. Next week, the House Finance Committee must vote whether to recommend including the language of these bills and their respective appropriations in HB 1 and HB 2.

- HB 436: recommended by House Finance Division I as Ought to Pass with Amendment. The amendment would reduce the cost of this policy proposal, and the committee will be recommending it be included in HB 2. The bill would adjust the transition provisions for Group II, Tier B members service retirement adopted in 2011 over a 10-year period until 2033 and make a \$25 million state general fund appropriations each year for 10 years to terminally fund the cost of the benefits. The amendment would also require the state to pay all costs incurred by municipalities to enact this legislation. This bill would enact a 10-year funding plan, and future legislatures are not bound by decisions of past legislatures which remains a concern.
- HB 461: recommended by House Finance Division I as Ought to Pass with Amendment. This bill would require municipal employers to obtain an analysis from NHRS when eliminating or transferring a Group II position from full-time to part-time. Additionally, it would impose a costly penalty on the employer to continue to make contributions to the NHRS based on the highest compensation paid for the position in the prior five years and would impose a penalty equal to two percent of such contribution on the employer to be paid for 15 years. Both the contribution and penalty are required in perpetuity unless the position is restored to full-time status. The amendment would apply this restriction specifically to superintendents, principals, police chiefs, fire chiefs, directors, administrators, "and the like." Although NHRS actuaries are unable to estimate the fiscal impact of this proposal, there would be a significant cost to any municipality that changed its staffing structure to better suit the needs of its citizens.
- HB 250: recommend by House Finance Division I as Ought to Pass. This bill would increase the Group II accidental death benefit from 50 percent to 100 percent of member's annual rate of earnable compensation at the date of the member's passing. The estimated increase of this legislation on the employer pension rate for police is .25 percent and .28 percent for fire, totaling just over \$1 million in additional employer costs for fiscal year 2024 alone. The New Hampshire Retirement System (NHRS) estimates a \$4 million increase in the actuarial accrued liability (UAAL).

- **HB 571:** recommended by House Finance Division I as Ought to Pass. This bill would provide a cost-of-living adjustment (COLA) in 2023 to qualified Group II retirees on the first \$50,000 of a retired Group II member's or beneficiary's allowance. As passed by the House, the cost of this COLA would be paid from the state general fund having *no impact* on municipal employers.
- **HB 50:** Passed the House and was tabled for potential inclusion in HB 2. This bill, as amended, proposes to pay \$50 million toward the UAAL would appropriate \$50 million in fiscal year 2024 for the purpose of reducing the retirement system's unfunded actuarial accrued liability (UAAL) determined under RSA 100-A:16, II. Over a 20-year period a \$50 million dollar payment applied in FY 2024 could have a compounded savings impact of \$105 million.

If you have concerns about how this legislation will impact your municipality, your municipal budget, or local decision-making authority, we urge you to contact the House Finance Committee members before they begin three consecutive days of executive sessions on **Monday, March 27, at 10:00 a.m. in LOB Room 210-211**, to deliberate final recommendations on **HB 1** and **HB 2**. You can look up NHMA's positions on these (and other bills) using NHMA's online bill tracker.

Hearing Schedule

Please click [here](#) to find a list of hearings next week on bills that NHMA is tracking. Please note that the linked PDF only covers hearings scheduled for the next week. For the most up-to-date information on when bills are scheduled for a hearing, please use our live bill tracker.

NHMA Upcoming Member Events

Mar. 29	Webinar: Transportation Safety – 12:00 – 1:00
Mar. 30	Webinar: How to Handle a First Amendment Audit – 12:00 – 1:00
Apr. 5	Webinar: Succeeding at Tax Deeding – 12:00 – 1:00
Apr. 5	2023 Regional Legislative Update in Exeter – 6:30 p.m.
Apr. 6	Local Officials Workshop (hybrid) – 9:00 – 4:00
Apr. 19	Right-to-Know Workshop (Public Meetings & Government Records) – 9:00 – 1:00 (Hybrid)
Please visit www.nhmunicipal.org for the most up-to-date information regarding our upcoming events. Click on the Events& Training tab to view the calendar.	
For more information, please call NHMA's Workshop registration line: (603) 230-3350.	

Clarifying the Right-to-Know Law

On Tuesday, the Senate Judiciary Committee held a hearing on **HB 307**, which would require that the government bear the cost of resolving a gray area of the Right-to-Know Law if the requestor wins. NHMA opposed the bill, as did several municipal attorneys.

One of the points of discussion was the historical language of the attorney's fees section of the Right-to-Know Law. A review of that history, in fact, demonstrates that the current law is a carefully balanced policy that reflects multiple perspectives and stakeholders.

That section, RSA 91-A:8, came into being in 1973 with the passage of Chapter Law 113. That law read:

Any body or agency which, in violation of the provisions of this chapter, refuses to provide a public document or refuses access to a public proceeding, to a person who reasonably requests the same, shall be liable for reasonable attorney's fees and costs incurred in making the information available or the proceeding open to the public provided the court renders final judgement in favor of such request.

Five years later, in 1977, the legislature passed HB 845, Chapter Law 540, which substantially rewrote the Right-to-Know Law, including section A:8. According to the House Journal on May 4, 1977, the bill was originally recommended for Interim Study by the House Judiciary Committee, but a floor amendment resulted in ultimate passage. (Pages 539-541.) The Senate then took up the bill and noted in its own journal, of June 14, 1977 (page 2668), that at the Senate hearing, "there were representatives from the press who endorsed it heartily, the New Hampshire Press Association which has a membership of 22, endorsed it." No other endorsements were noted, and no objections—other than some concerns voiced by senators about the applicability of the Right-to-Know Law to the Senate—were noted. Upon enactment, the law read:

If any body or agency or employee or member thereof, in violation of the provisions of this chapter, refuses to provide a public document or refuses access to a public proceeding to a person who reasonably requests the same, such body, agency or person may be liable for reasonable attorney's fees and costs incurred in making the information available or the proceeding open to the public, at the discretion of the court.

In 1986, the law was changed to substantially reflect existing law, which clearly requires the government to bear the cost of attorney's fees when it "purposefully" violates the law.

In this history, we think that this demonstrates how the legislature—over the period of a little more than a decade—carefully evaluated the policy relative to when the government *should* be responsible for attorney's fees, and made a good policy decision. After four years of requiring the government to pay in all instances, the legislature (with, it appears, the hearty endorsement of the press) decided that the pendulum should swing in the other direction—giving courts ultimate discretion. Nine years later, the legislature realized that a happy medium of punishing bad actors but protecting those who acted in good faith was appropriate. And the law has been that way for 37 years. Additionally, in 2022, the legislature created the Right-to-Know Law Ombudsman, recognizing the need for a speedier and more cost-effective alternative for resolving and adjudicating these matters.

We urge our members to **contact the members of the Senate Judiciary Committee** and ask them to recommend **HB 307** as Inexpedient to Legislate. This is an area of the Right-to-Know Law that has already been carefully evaluated by multiple legislatures and needs no further changes.

House to Vote on Proposed Biennial State Budget

On Wednesday, the House Finance Committee voted 14-11 to adopt **HB 1** and associated provisions in **HB 2**, the budget "trailer" bill, with amendments. Please reference **Bulletin #13** for the highlights related to municipalities in the original version, which remain unchanged in the recommended budget. Among the changes to **HB 2** adopted by the committee is the addition of the language of **HB 436**, which would increase benefits for certain middle tier Group II members of the New Hampshire Retirement System (NHRS) by reversing several of the retirement reforms enacted in 2011. The **HB 2** proposal restores the governor's repeal of the communication tax to fund this \$250 million NHRS policy change through state general fund revenue as well as the costs that the policy would have assessed against municipalities over the next 10 years of this plan.

The House will meet in full session on **Thursday, April 6th at 9:00 a.m.**, when it will vote on **HB 1** and **HB 2** and act on any remaining House bills. A slew of floor amendments is expected that could alter the current budget proposal.

Cannabis Compromise Considered

HB 639, the cannabis bill supported by Democratic and Republican House leadership, had its final hearing in House Ways and Means this week. The committee recommended adoption of an amendment, **2023-1231h**, which creates a 12.5 percent excise tax on producers and alters the spending formula for revenues generated by sale of cannabis.

2023 NHMA Legislative Bulletin 14

March 31, 2023

Inside this Issue

State Budget

Cannabis Update

Broadband

Hearing Schedule

NHMA Events

GOVERNMENT AFFAIRS CONTACT INFORMATION

Margaret M.L. Byrnes
Executive Director

Natch Greyes
Government Affairs Counsel

Katherine Heck
Government Finance Advisor

Jonathan Cowal
Municipal Services Counsel

Timothy W. Fortier
Communications Coordinator

Pam Valley
Administrative Assistant



25 Triangle Park Drive
Concord NH 03301
603.224.7447
governmentaffairs@nhmunicipal.org

The new formula would create the following distribution of tax proceeds, after deducting the cost of setup and \$100,000 to the Department of Safety for data collection and reporting on cannabis: five percent to the education trust fund; 30 percent to the New Hampshire Retirement System's unfunded accrued liability; 10 percent or \$25,000 (whichever is less) to the substance abuse prevention and recovery fund administered by the Department of Health and Human Services; five percent to public safety agencies; and five percent to the Department of Health and Human Services for children's behavioral health services. There would also be an initial outlay of \$100,000 to the Department of Safety for data collection and reporting, \$15 million to the liquor commission/cannabis fund for the cost of administration and initial programmatic setup, and \$500,000 for the substance use prevention and recovery fund. (In total, \$15.6 million will need to be repaid by tax proceeds for initial setup prior to distribution of any funds pursuant to the above formula.)

The committee briefly considered whether to change the municipal-regulatory authority language to provide for an opt-in rather than any opt-out regulatory scheme, which would comply with NHMA's policy position on cannabis. However, that potential amendment was withdrawn in recognition that it would be a policy change and second committees are only supposed to consider the financial side—not the policy side—of the bills before them.

For those concerned about how to apply the current language in the municipal regulatory section of the bill, NHMA will be proposing an amendment in the Senate to clarify local authority. Current language allows municipal regulation of "the time, place, and manner of operation of a cannabis establishment," or municipalities to opt-out of allowing cannabis establishments within their borders. For those without a legal background, "time, place, and manner" regulations are the type of regulations that apply in First Amendment cases (think: parades) and not usually the type of regulation that would apply for retail businesses. Instead, municipal regulation of retail businesses typically falls under land use law, i.e. zoning ordinances, and we think that clarifying that would benefit all involved parties.

The bill must still face a final House vote before it can move to the Senate. Assuming the House passes the bill on April 6, we anticipate that it will be assigned to a Senate committee shortly thereafter and a Senate hearing will be scheduled. We will keep you abreast of any future amendments to this bill and its status in the Senate.

Closing the Digital Gap

On Thursday, the Senate amended and passed SB 222, which would allow communications districts formed under RSA 53-G to finance broadband through revenue bonds. This bill would enable municipalities participating in a communications district to expand broadband in unserved and underserved areas through tax exempt financing paid back through funds generated by the project's revenues, rather than the taxpayers. Since 2018, significant legislation has been signed into law to give municipalities more tools for expanding this essential infrastructure to address middle and last mile broadband service across the Granite State.

Hearing Schedule

Please click [here](#) to find a list of hearings next week on bills that NHMA is tracking. Please note that the linked PDF only covers hearings scheduled for the next week. For the most up-to-date information on when bills are scheduled for a hearing, please use our [live bill tracker](#).

NHMA Upcoming Member Events

Apr. 5	Webinar: Succeeding at Tax Deeding - 12:00 - 1:00
Apr. 5	2023 Regional Legislative Update in Exeter - 6:00 p.m.
Apr. 6	Local Officials Workshop (hybrid) - 9:00 - 4:00

Please visit www.nhmunicipal.org for the most up-to-date information regarding our upcoming events. Click on the Events & Training tab to view the calendar. For more information, please call NHMA's Workshop registration line: (603) 230-3350.