

MEMORANDUM

TO: Michael Houghton, Select Board Chair
Joseph Lovejoy, Select Board Vice-Chair
Allison Knab, Select Board

FROM: David Moore, Town Administrator

DATE: August 28, 2020

RE: Select Board Agenda and Materials for the August 31st Regular Meeting

Please allow this memorandum to serve as a guide to the Select Board Meeting agenda for August 31, 2020.

III. Consideration of Minutes

Draft minutes from your meeting on August 17th are included for your review as are the minutes from your meeting on August 24, 2020.

IV. Treasurer Report (first meeting of the month)

V. Department Reports & Presentations

The department report will be from Nate Mears, Director of Public Works.

VI. Correspondence

No correspondences has been submitted for this meeting

VII. Public Comment

VIII. Public Hearings, Ordinances and/or Resolutions

IX. Discussion of Monthly Reports (second meeting of each month)

X. New Business and Action Items

A. Request for Release of CIP and Reserve Funds

Chief King has submitted a request for a release of CIP funds for computer equipment and reserve funds for radio equipment. Please see the attached request. I am working with the Finance Administrator and IT contractor, to confirm the town-wide workstation needs in addition

to those noted by Tony. We currently have approximately \$19,000 available in Workstation Replacements available. The current balance in the Radio Communications reserve fund is \$59,000. I also will have an update number in the Police Detail Fund at your meeting.

B. Comcast Cable TV Franchise Agreement – One-year Renewal

At this meeting, I recommend the Board discuss moving forward with a one-year renewal which does not preclude the ability to negotiate a new agreement during the renewed one-year period. The current agreement expires September 7, 2020. Earlier this week, I provided some additional context for the Franchise agreement legal context and some additional information from Jay Sommers, our Comcast representative. In addition to this material, I am attaching an e-mail including additional input from Mr. Somers as well as a one page renewal from Comcast. Mr. Somers can be available for questions from the Board, remotely, please advise if you would like me to arrange that for Monday evening.

C. PFAS Remedial Action Plan Scope of Work and Proposal

We have worked with DES and Wilcox & Barton to develop a scope of work and cost proposal for following up with the Remedial Action Plan. We have remaining unexpended funds on the existing professional services agreement with W&C of approximately \$7,000. The cost proposal is \$29,055.75. This would require approximately \$22,000 in new funding from the PFAS CIP line item (2020 CIP Warrant Article), where \$40,000 was budgeted.

I would recommend the Board Authorize the Town Administrator to enter into a professional services agreement in an amount up to \$29,055.75.

D. Drought Conditions – Water Restrictions RSA 41 11:d

Under separate cover, I provided you with background information about drought conditions and a request from NHDES. I have included that same information in this packet.

I recommend the Board consider a water use restriction and to request the Town Administrator to follow-up with all posting and implementation requirements, including communications with the public, as required in RSA 41 11:d.

E. Review of Select Board Rules of Procedure

I have included in your packet the current Select Board Rules of Procedures “marked-up” to reflect changes in current terminology. I recommend updating the Procedures to reflect these nomenclature and also welcome, general discussion from the Board about potential other changes, clarification or new content the board would like to see covered in the Manual.

F. Review of Election Preparations

I plan to give you an update about staff and Election Officials preparation for the State Primary and General Election.

XI. Town Administrator Report

XII. Informational Items

A. NHRS News Release on 2021-2022 Contribution Rate Changes (will affect first six months of 2021 budget).

XIII. Reservations, Event Requests & Permits

- A. Exeter Rotary Club – non-profit requesting waiver of fee
- B. Kathy Flagg – Fire Dept. member requesting fee waiver for previously approved reservation.

XIV. Review of Recent or Upcoming Board & Commissions Agendas

XV. Miscellaneous & Old Business

Boards & Commissions Appointments

- A. Tracy Abbott – reappointment to Recreation Commission
- B. Joe Anderson – appointment to Planning Board (alternate)
- C. Kyle Saltonstall – appointment to Conservation Commission

XVI. Adjournment



TOWN OF STRATHAM

INCORPORATED 1716

10 BUNKER HILL AVENUE • STRATHAM NH 03885

VOICE (603) 772-7391 • FAX (603) 775-0517

SELECT BOARD AGENDA

AUGUST 31, 2020

TOWN OF STRATHAM

7:00 P.M.

Hutton Room, Stratham Municipal Center

10 Bunker Hill Avenue- Stratham, NH 03885

This meeting of the Select Board will be held in the Hutton Room of the Stratham Municipal Center

The public may access this meeting at the date and time above using this conference call information. Please dial the conference number **(877) 205 7349** and input **2254** when prompted for a user pin/code.

If at any time during the meeting you have difficulty, hearing the proceedings, please e-mail dmoore@strathamnh.gov.

To access materials related to this meeting, please see this link:

<https://www.strathamnh.gov/select-board>

- I. Call to order
- II. Roll Call
- III. Consideration of Minutes – August 17, 2020 and August 24, 2020
- IV. Treasurer Report (first meeting of the month)
- V. Department Reports & Presentations – Dept. of Public Works Director, Nate Mears
- VI. Correspondence

The Select Board reserves the right to take up business in any order deemed appropriate by the Chair. A motion to enter Non-Public Session in accordance with RSA 91-A:3 may occur at any time during the meeting. Submission of items to be placed on the Agenda must be to the Town Administrator by 4 pm the Wednesday before the scheduled meeting.



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- VII. Public Comment
- VIII. Public Hearings, Ordinances and/or Resolutions
- IX. Discussion of Monthly Reports – (second meeting of the Month)
- X. New Business and Action Items
 - A. Request for Release of CIP and Reserve Funds
 - B. Comcast Cable TV Franchise Agreement – One-year Renewal
 - C. PFAS Remedial Action Plan Scope of Work and Proposal
 - D. Drought Conditions – Water Restrictions RSA 41 11:d
 - E. Review of Select Board Rules of Procedure
 - F. Review of Election Preparations
- XI. Town Administrator Report
- XII. Informational Items
- XIII. Reservations, Event Requests & Permits
- XIV. Review of Recent or Upcoming Board & Commissions Agendas
- XV. Miscellaneous & Old Business
- XVI. Adjournment



STRATHAM POLICE DEPARTMENT

Anthony J. King – Chief of Police

76 Portsmouth Avenue, Stratham, NH 03885
(603) 778-9691 – FAX (603) 778-6183

To: David Moore, Town Administrator
From: Chief Anthony King, Stratham Police Department
Subject: Utilization of PD Computer Replacement Funds and Radio Capital Reserve Funds
Date: August 27, 2020

As you are aware, the Stratham Police Department purchased a new 2020 Ford Police Pursuit Vehicle for this current budget cycle. All other equipment, other than the M.D.T (mobile data terminal) had been factored into the cost of this vehicle, with other equipment being funded from the Police Detail Fund as approved at a recent Select Board meeting this month.

I am requesting Select Board approval for the use of funds from the Computer CIP: 100 9902-20-502 for the purchase and installation of the cruiser M.D.T. As part of a three-year plan for IT infrastructure for the Police Department, I requested \$14,000 in my 2020 CIP Proposal to be added into this line. This request included system upgrades, licensing and hardware to name a few, but also included the cost of an M.D.T. I am currently working with our IT provider, Lee Todis, in order to initiate some of those projects out lined in this plan. I have been advised that there is \$15,000 in this 2020 line.

As a front line emergency vehicle, it is necessary to have the vehicle installed with M.D.T. capabilities as all emergency dispatch, and reporting is primarily completed by each officer in the field. The cost to install this technology in this vehicle is \$4708.60. The quote from Glacier Communication is attached with this request.

Second, I am further requesting the use of funds from the Radio Communication Capital Reserve Fund for purchase of two (2) new portable radios and (2) microphones. This request is also in-line with my 2020 CIP requests outlining a replacement plan for outdated portables. As a reminder, I had requested to continue the annual funding of this line for police department purposes at \$10,000.00 per year. This was to ensure that aging portables and radios can be replaced accordingly, while creating a small inventory of spare portables in cases of emergency replacement or addition of personnel. The total for this hardware is \$6704.60, and the quote from Motorola Solutions is attached to this request for your review.

Should you have any questions or concerns, please do not hesitate to contact me at your earliest convenience.

Respectfully submitted,

Anthony King

Chief of Police

CC: Board of Selectmen
Donna Duhamel, Finance Director

QUOTATION



Date: 11/6/2019
Customer: Stratham NH Police Department
Contact: David Pierce
Phone: 603-778-9691

Sales Contact: John Geary
Phone: 603-882-1560 x3213
Email: john@glaciercomputer.com
Quote #: 46217JG

Getac V110 Gen 5 - Fully Rugged Laptop

11.6" Sunlight Readable Display w/ Touch
Intel® Core™ i7 & i5 Processor Options
Windows® 10 Pro OS (64 bit)
Expansive Standard I/O Ports
Waterproof & Backlit Keyboard



802.11ac Wi-Fi, Bluetooth 4.2
Multiple Accessories & Options
MIL-STD-810G & IP65 Certified
Dual Hot-Swappable Batteries
3 Year Bumper-to-Bumper Warranty

BASE DEVICE CONFIGURATION

QTY	Glacier Code	Category	Description	List	Discounted	Extended
1	5730590	Unit	V110G5,i5-8265U,Webcam,Win10+8GB RAM,256GB SSD,Sunlight Readable FHD+Touchscreen+Stylus, Backlit KBD,WIFI+BT+GPS+4G LTE (EM7511)+Passthrough,Hard Handle,RFID+BCR, TPM 2.0, Low Temp -21°C, IP65, 3 Year Bumper to Bumper Warranty	\$4,922.00	\$3,937.60	\$3,937.60
Discount	20.00%	Total Discounted Price Base Configuration				\$3,937.60

ACCESSORIES & ADDITIONAL SERVICES

QTY	Glacier Code	Category	Description	List	Discounted	Extended
1	C-HDM-204	Mount	HAVIS - Heavy Duty Computer Monitor/Keyboard Mount and Motion Device	\$182.77	\$156.00	\$156.00
1	C-MD-119	Arm	HAVIS - 11" Slide Out Locking Swing Arm with Low Profile Motion Device Adapter	\$340.55	\$282.00	\$282.00
1	4430754	Adapter	LIND 12-32V DC Vehicle Adapter / Charger with Bare Wires	\$149.99	\$145.00	\$145.00
0	DS-GTC-311-3	Dock	Docking Station with Triple Pass-through Antenna for Getac's V110 Convertible Notebook	\$1,079.50	\$833.00	\$0.00
1	5399880	Antenna	Cell/LTE, WIFI, GNSS, 19ft coax, color white, new form factor (Threaded bolt)	\$235.00	\$188.00	\$188.00
Total Discounted Price Accessories						\$771.00

WARRANTY OPTIONS

QTY	Glacier Code	Category	Description	List	Discounted	Extended
					\$0.00	\$0.00
Discount	0.00%	Total Discounted Price Selected Warranty Items				\$0.00

\$4,708.60

NOTES:
FREE SHIPPING
QUOTE EXPIRES IN 60 DAYS
TERMS ARE NET 30 PENDING PROPER CREDIT APPROVALS
ALL ORDERS SUBJECT TO GLACIER TERMS & CONDITIONS
LEAD TIME IS APPROXIMATELY 4-6 WEEKS
DEVICES ARE BUILT TO ORDER - NO RETURNS/EXCHANGES



Quote Number: QU0000511217

Effective: 12 AUG 2020

Effective To: 11 OCT 2020

Bill-To:

STRATHAM POLICE DEPT
76 PORTSMOUTH AVE
STRATHAM, NH 03885
United States

Ultimate Destination:

STRATHAM POLICE DEPT
76 PORTSMOUTH AVE
STRATHAM, NH 03885
United States

Attention:

Name: Lt. Pierce
Email: dpierce@strathampd.org
Phone: 603-778-9691

Sales Contact:

Name: Nathaniel Sawyer
Email: nsawyer@2-way.biz
Phone: 6034316288

Contract Number: NASPO ValuePoint
Freight terms: FOB Destination
Payment terms: Net 30 Due

Item	Quantity	Nomenclature	Description	Your price	Extended Price
1	1	PMMN4062AL	AUDIO ACCESSORY-REMOTE SPEAKER MICROPHONE,IMPRES RSM, NOISE CANC. EMERGENCY BUTTON 3.5MM JACK IP54	\$85.92	\$85.92

Total Quote in USD

\$85.92

THIS QUOTE IS BASED ON THE FOLLOWING:

1 This quotation is provided to you for information purposes only and is not intended to be an offer or a binding proposal.

If you wish to purchase the quoted products, Motorola Solutions, Inc. ("Motorola") will be pleased to provide you with our standard terms and conditions of sale (which will include the capitalized provisions below), or alternatively, receive your purchase order which will be acknowledged.

Thank you for your consideration of Motorola products.

- 2 Quotes are exclusive of all installation and programming charges (unless expressly stated) and all applicable taxes.
- 3 Purchaser will be responsible for shipping costs, which will be added to the invoice.
- 4 Prices quoted are valid for thirty(30) days from the date of this quote.
- 5 Unless otherwise stated, payment will be due within thirty days after invoice. Invoicing will occur concurrently with shipping.

MOTOROLA DISCLAIMS ALL OTHER WARRANTIES WITH RESPECT TO THE ORDERED PRODUCTS, EXPRESS OR IMPLIED INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

MOTOROLA'S TOTAL LIABILITY ARISING FROM THE ORDERED PRODUCTS WILL BE LIMITED TO THE PURCHASE PRICE OF THE PRODUCTS WITH RESPECT TO WHICH LOSSES OR DAMAGES ARE CLAIMED. IN NO EVENT WILL MOTOROLA BE LIABLE FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES.



Quote Number: QU0000511215

Effective: 12 AUG 2020

Effective To: 11 OCT 2020

Bill-To:

STRATHAM POLICE DEPT
76 PORTSMOUTH AVE
STRATHAM, NH 03885
United States

Ultimate Destination:

STRATHAM POLICE DEPT
76 PORTSMOUTH AVE
STRATHAM, NH 03885
United States

Attention:

Name: Lt.Pierce
Email: dpeirce@strathamptd.org
Phone: 603-778-9691

Sales Contact:

Name: Nathaniel Sawyer
Email: nsawyer@2-way.biz
Phone: 6034316288

Contract Number: NASPO ValuePoint

Freight terms: FOB Destination

Payment terms: Net 30 Due

Item	Quantity	Nomenclature	Description	Your price	Extended Price
1	1	H98KGF9PW6BN	APX6000 VHF MHZ MODEL 2.5 PORTABLE	\$2,208.98	\$2,208.98
1a	1	H35BU	ADD: CONVENTIONAL OPERATION	\$365.00	\$365.00
1b	1	Q806BM	ADD: ASTRO DIGITAL CAI OPERATION	\$375.95	\$375.95
1c	1	H885BK	ADD: 3Y ESSENTIAL SERVICE	\$90.00	\$90.00
1d	1	Q667BB	ADD: ADP ONLY (NON-P25 CAP COMPLIANT)	-	-
2	1	PMMN4062AL	AUDIO ACCESSORY-REMOTE SPEAKER MICROPHONE,IMPRES RSM, NOISE CANC. EMERGENCY BUTTON 3.5MM JACK IP54	\$85.92	\$85.92
3	1	NNTN8860A	CHARGER, SINGLE-UNIT, IMPRES 2, 3A, 115VAC, US/NA	\$120.45	\$120.45
4	20	SVC03SVC0115D	SUBSCRIBER PROGRAMMING	\$1.00	\$20.00

Total Quote in USD

\$3,266.30

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If you wish to purchase the quoted products, Motorola Solutions, Inc. ("Motorola") will be pleased to provide you with our standard terms and conditions of sale (which will include the capitalized provisions below), or alternatively, receive your purchase order which will be acknowledged.

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From: [David Moore](#)
To: [Karen Richard](#)
Subject: FW: Stratham Cable TV License Extension
Date: Thursday, August 27, 2020 4:01:30 PM
Attachments: [Stratham EXTENSION OF THE CABLE TELEVISION LICENSE 8.27.20.docx](#)

Karen,

Please .pdf this e-mail and the attached agreement for the 8-31-2020 e-file.

David M.

From: Somers, Jay <Thomas_Somers@comcast.com>
Sent: Thursday, August 27, 2020 11:27 AM
To: David Moore <dmoore@StrathamNH.gov>
Subject: Stratham Cable TV License Extension

David,

Attached is a copy of the Cable TV License Extension Agreement between the Town of Stratham, NH and Comcast of Maine/New Hampshire. As we discussed by phone subscribers currently receive the SAU 16 Educational Channel that is programmed by the regional high school located in Exeter. Additionally the Board may request in writing to the Franchisee (Comcast) to provide with-in 180 days one additional channel to be used for Educational, Government, or Public Access. You requested does the Town currently has the ability to produce live programming from Town Hall, they do not. Finally Comcast does supply cable tv courtesy service to the following locations: **Highway Department, Police Department, Town Hall, Library, Memorial School, Fire Department, and School COOP**. Please let me know if you need any additional information.

Thanks,

Jay

Jay Somers | Sr. Manager of Government & Regulatory Affairs
Comcast | Greater Boston Region | 180 Greenleaf Avenue Portsmouth, NH 03801
o 603-334-3603 | m 617-279-3603

INTERNET ESSENTIALS from Comcast

A program designed to expand broadband adoption among low-income American households with at least one child eligible to receive free or reduced price school lunches. Once in the program, participants receive fast, affordable Internet service for \$9.95/mo + tax, the option to purchase a computer for just \$150 and access to free digital literacy training. To learn more or to apply, please call 1-855-8-INTERNET (1-855-846-8376) or visit InternetEssentials.com. To become a partner, please reply to this e-mail or visit InternetEssentials.com/partner.

August 24, 2020

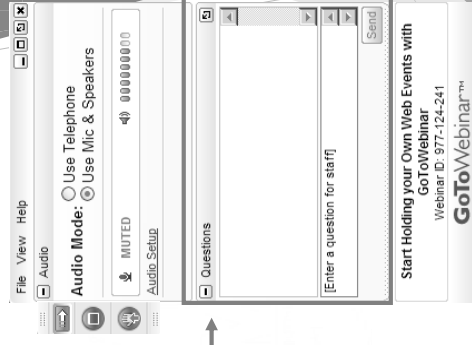
- Notes on Conversation with Jay Somers, re: Cable Franchise Agreement renewal
- Current renewal runs through September 8th, 2020
- A 1 year renewal permits renegotiation before the one year is up.
- The franchise agreement is for Cable TV service and not cable internet. Speeds, quality, distribution of internet etc. are not part of what we are franchising.
- According to Jay, there are no other Cable providers in the area.
- When asked about what
- He says the service and these contracts have changed much over recent years; he cited streaming services offered by content providers and people “cord cutting”. In other words, subscribing to their internet service (broadband), in order to ensure access to internet streaming but not subscribing to Cable TV.
- This has also affected negotiations in that no longer are people complaining about access to certain programming, because they access it through other services (that they pay for obviously).
- In the past, people have focused on customer service standard as part of these agreements, again which would be for Cable TV.
- Another negotiation item has been cable access for governments. Currently, Stratham receives the Exeter Education channel. We may already have a “drop” in our agreement enabling Stratham to produce own content on other channel; Jay is confirming that. As a practical matter, if the Town was going to stream its meeting, it would be cheapest to do via internet streaming, a YouTube channel or FB live.
- I asked Jay if there was any model outreach that Town’s have used to obtain feedback on the Cable TV contract in preparation for negotiations and he indicated that in recent years, with all of the changes in streaming they haven’t had much feedback in way of complaints/requests. According to him, they have the content already available people would want.

Webinar Series

Presented by:

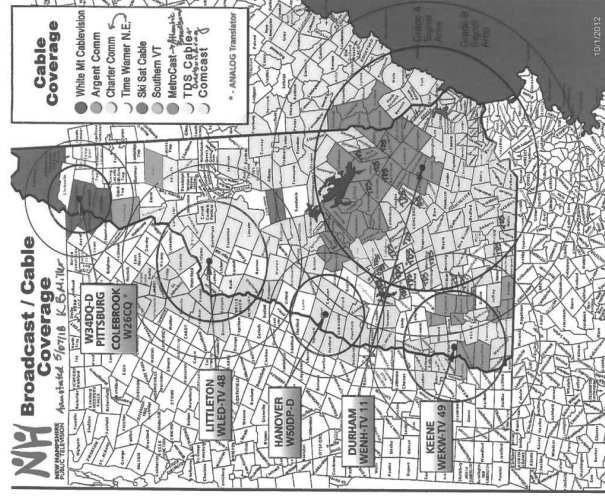
- *Katherine B. Miller, Esq., DTC Lawyers, PLLC*
- *Brendan A. O'Donnell, Esq, DTC Lawyers, PLLC*

nhmainfo@nhmunicipal.org / 800.852.3358 / www.nhmunicipal.org



- Open and close your panel
- Submit text questions
- Q&A addressed during the webinar session

NH Cable TV Franchises by Company



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Cable TV systems also provide internet service - broadband - and often "voice" - telephone service.

Most towns in NH have a cable TV provider.

Federal Communications Commission (FCC) recently reiterated that in August 2, 2019 Order (“FCC 8/2/19 Order”).

Municipalities only have jurisdiction over the cable TV portion of the company's business.

All services come over the same system.

Basics of Cable TV Franchising

Cable TV franchising is governed by federal law (47 U.S.C. § 521, et seq.), and the rules of the FCC at 47 C.F.R. Part 76) and state law (RSA Ch. 33-C).

The governing body is the “franchising authority,” to grant a new cable TV franchise and to negotiate a renewal franchise agreement with the existing cable TV provider, because the company will occupy public land: the public rights-of-way. Municipalities are entitled to charge the company “franchise fees” for that right to occupy public land, just like any other “tenant” of municipal property.

NH Cities and Towns cannot grant an exclusive franchise to one cable TV company. Reality is, most communities have only received proposals from one company, ever.

Cable TV providers may only be denied renewal of their franchises in a community once initially granted if they are in default of their current franchise agreements or their proposals are not “reasonable.”

“Reasonable” is judged on economic as well as other grounds, in other words, would the company get a reasonable return on its investment?

If the company offers the same, standard proposal for a new or renewed franchise region- or nation-wide, it is deemed “reasonable.”

What does the renewal process look like?

Renewing Cable TV Franchises



Basics of Cable TV Franchising

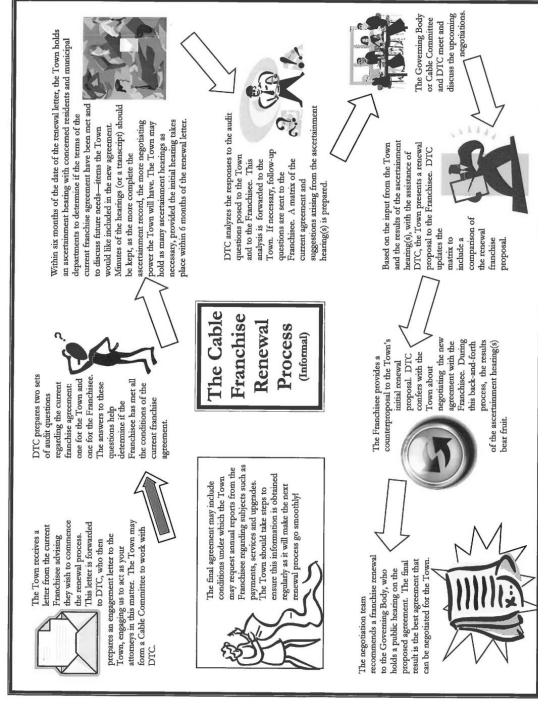
Requirements of NH Law:

RSA 53-C:3-a Franchise Applicant Considerations. -

No municipality shall grant a franchise for cable service to a cable system within its jurisdiction without first, at a duly noticed public hearing, having considered:

- I. The financial ability of the franchise applicant to perform.
- II. The ability of the applicant to provide adequate and technically sound facilities, equipment and signal quality.
- III. Adequate channel capacity and appropriate facilities for public, educational, or governmental use, taking into account available technology, subscriber interest, and cost.
- IV. The prohibition of discrimination among customers of basic service.
- V. Reasonable service quality in terms of available technology, subscriber interest, and cost.
- VI. Construction and installation which conforms to all applicable state and federal laws and regulations and the National Electric Safety Code.
- VII. A competent staff able to provide prompt, adequate service and to respond comprehensively to customer complaints or problems.
- VIII. Reasonable rules and policies for line extensions and disconnects, customer deposits, and billing practices. **Source: 1989, 338:3, eff. Aug. 1, 1989.**

Cable TV Franchises



Renewing Cable TV Franchises

Audit of the cable company's performance under the current franchise agreement:

- ▲ Part of governing body's due diligence in renewing cable TV franchise.
- ▲ Can request maps of cable system in community to determine areas not served.
- ▲ Omissions or problems can be addressed, and you are more likely to have the company's attention during this renewal period (3 years).
- ▲ Can provide negotiating leverage to you.

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Public Process to Ascertain Future Cable-Related Needs and Interests of Community:

- ▲ Bring in stakeholders (schools, emergency management, PEG Channel staff, subscribers).
- ▲ Educate stakeholders and public in general on opportunities and limitations.
- ▲ Determine support or lack of support for expenditures and initiatives.
- ▲ If conducted within 6 months of date of renewal letter from cable company, protects rights under federal law.

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Renewing Cable TV Franchises

Cable Committee vs. Governing Body:

- ▲ In some communities, great interest in participation by citizens (e.g. Exeter passed a warrant article at Town Meeting re: having an opportunity for the community to submit videos for cablecasting, not just governmental and school programming on local access channels (the "p" in PEG: Public, Educational and Governmental). Generally takes more time.
- ▲ In others, governing body prefers to maintain control. Generally faster that way.

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Drafting the Document:

- ▲ What about using the cable company's standard document?
- ▲ This is a contract negotiation, so the cable company will put in what is best for it, not necessarily what is best for your community.
- ▲ Some cable companies leave out sections required by NH law (e.g. taxation for use of public rights-of-way, RSA 72:23).

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Renewing Cable TV Franchises

Drafting the Document -- DTC approach:

- ▲ Treat this like any other contract negotiation, to ensure community retains control of its public rights-of-ways, receives the financial support that is appropriate and has the protections in the franchise agreement that the community deserves.
- ▲ Use the protections granted to communities by the federal and state cable laws.
- ▲ Customize the terms to meet needs of the community (sometimes need to be creative).

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Creative approaches:

- ▲ “Public-Private Partnerships” can be fertile ground for extending the cable TV systems to parts of the community not currently served.
- ▲ Win-Win: Cable company can get more subscribers; residents can get access to cable TV and broadband (and voice); the community can become more attractive for potential residents and businesses, increasing the property values and boosting the tax base.
- ▲ Still hard to get companies to agree sometimes.
- ▲ Important to look for ways to compromise.

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Renewing Cable TV Franchises

Company Pays for Extensions of the Cable System:

- ▲ Cable companies have formulas on the “density” of homes required to extend the cable TV system.
- ▲ Towns can solicit interest among residents in an unserved area, and, if there are enough willing to commit to a one- or more year cable TV service agreement, the company will extend.

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Renewing Cable TV Franchises

Getting Creative on Paying for Extensions of the Cable System:

- ▲ If not enough residents, Towns can (1) collect franchise fees from cable company and use part or all of them to fund the extension, or (2) pay with appropriated dollars.
- ▲ Bonding for construction of municipal broadband infrastructure is not available for extension of the cable TV system, as the facilities will be owned by the cable TV company, not the Town.
- ▲ How can the Town start collecting (or increase) cable TV franchise fees?

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Renewing Cable TV Franchises

Cable TV Franchise Fees Paid to Community:

- ▶ During the renewal of the cable TV franchise, the Town may require that the cable operator pay the Town franchise fees up to 5% of the gross revenue annually from the operation of the cable TV system (not voice or broadband services) in the Town.
- ▶ Franchise fees paid to the Town are like “rent” for the cable TV company’s use of the public rights-of-way to reach their customers.

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Renewing Cable TV Franchises

Cable TV Franchise Fees & Appropriated Funds:

- ▶ All are general revenues (unless earmarked by legislative body for a purpose such as the PEG Access Channels) and can only be spent for municipal purposes.
- ▶ Cable TV franchise fees are like more narrowly assessed “taxes,” because only cable TV subscribers pay them to the company, who pays them to the Town.
- ▶ Very unlikely to get “free” money from the cable TV company.

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Renewing Cable TV Franchises

Cable TV Franchise Fees Paid to Community:

- ▶ For expenditure of public funds, it is important to establish a robust record of the anticipated benefit to the Town through the extension of the cable TV system, in terms of economic development, maintaining property values, providing resources to residents for education and business, as well as leisure, recreation, tourism.

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Renewing Cable TV Franchises

Cable TV Franchise Fees Paid to Community:

- ▶ Focus on step 3 in the graphic in slide 8, the ascertainment of future cable related needs and interests of the community.
- ▶ In establishing the record, emphasis must be on the **cable TV services** provided by the company, not telephone or broadband, as **cable TV is the only thing over which the governing body has control.**

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Negotiating “Competitive” Cable TV Franchises

Some cable companies are proposing “competitive” cable TV franchises in communities that already have one cable TV provider: e.g. TDS in Alton, Hopkinton, Loudon and other communities; Comcast in Rochester, Laconia and Gifford, and maybe more.



Most (all?) communities would *love* to have a choice of cable TV provider for their residents.

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Negotiating “Competitive” Cable TV Franchises

Differences Between Negotiating Competitive Cable TV Franchises vs. Renewals of Existing Cable TV Franchises (Federal Law):

Timelines:

Negotiating a *Competitive* Franchise:

- ▶ If the new company already has access to the public rights-of-way (e.g., it is a telephone company like TDS, already attached to the poles); governing body has **90 days** from the date it received the proposal from the competitive cable TV operator to grant or deny the application. If the governing body does not act within that time, competitive company can begin providing cable TV services pursuant to the proposed franchise.
- ▶ If the company is not already authorized to be in the public rights-of-way, then the governing body has **120 days** from the date it received the proposal from the competitive cable TV operator. If it does not act, the competitive cable company can begin providing cable TV services pursuant to the proposed franchise.

23

Negotiating “Competitive” Cable TV Franchises

Differences Between Negotiating Competitive Cable TV Franchises and Renewals of Existing Cable TV Franchises (Federal Law):

Timelines:

Renewing an *Existing* Franchise:

- ▶ to preserve rights under federal law, commence process to ascertain cable related needs and interests of the community within **6 months** of receiving the letter from the cable company seeking to renew the franchise.
- ▶ The renewal “window” is 36 months before the expiration of the franchise agreement.
- ▶ No outside deadline for concluding negotiations, although if governing body ceases negotiating, or is not being “reasonable,” cable company can resort to the “formal” process for renewal and impose a proposal it offers within **120 days** (rare if the governing body is engaged in negotiations).
- ▶ Parties can extend a franchise if negotiations not concluded. If the franchise agreement expires, the company may continue providing cable TV services pursuant to the expired franchise.

22

Negotiating “Competitive” Cable TV Franchises

Differences Between Negotiating Competitive Cable TV Franchises vs. Renewals of Existing Cable TV Franchises (NH Law):

RSA 53-C:3-b Franchises; Administration by Municipality. -

- All franchises shall be nonexclusive. *No municipality shall grant any additional franchises to cable service within its jurisdiction on terms or conditions more favorable or less burdensome than those in any existing franchise within such municipality.*
- Nothing in this section shall be construed to prevent any municipality considering the approval of an additional cable service franchise in all or any part of the area of such municipality from imposing additional terms and conditions upon the granting of such franchises as such municipality shall in its sole discretion deem necessary or appropriate.
- All cable service franchises in existence as of May 1, 1989, shall remain in full force and effect according to their existing terms. **Source.** 1989, 338:3, eff. Aug. 1, 1989.

24

Recent Changes: FCC's 8/2/19 Order on Franchise Fees



Under the federal Cable Act, municipalities have long been able to require cable companies to pay the municipality up to 5% from the gross revenue generated annually from the operation of the *cable system* in that community.



In the FCC's 8/2/19 Order, it ruled that, going forward, in all existing and new franchise agreements, the *retail value* of services and non-capital facilities provided up to now for free to the community will now be *deducted* from the franchise fees paid to the community.

25

Recent Changes: FCC's 8/2/19 Order on Franchise Fees



Costs covered by Order: free cable TV to municipal and school facilities, "I-Nets" (institutional networks), non-capital aspects of local access channels, and possibly other services.



Costs not covered by Order: PEG channel support payments / capital expenditures, extensions of cable TV systems required, customer service requirements.



Unclear whether/how covered by Order: PEG channel capacity, possibly other services.

26

Recent Changes: FCC's 8/2/19 Order on Franchise Fees



Cable companies are still trying to figure this out.



It appears they will address free cable TV services first, possibly the costs of Institutional Networks.



So far, we have heard no plans for companies to being charging the non-capital costs for PEG Access Networks, but expect it will come.



How to respond?

27

Recent Changes: FCC's 8/2/19 Order on Franchise Fees

Some companies have decided to sign no new or amended franchise agreements or extensions to franchise agreements without addressing at least some of these services. It's time to get prepared:



Recommendations:

- Determine what formerly free cable TV service accounts exist, whether the community still needs them or whether some or all could be discontinued;
- If the community relies on an I-Net, research other options that may be less expensive; potentially replace the PEG Access Channels;
- If the community wishes to keep any of the services now charged for, consider raising the franchise fee to the maximum (5% of gross revenue) to make up the difference and/or consider other revenue sources for PEG services;
- If the community has and wants to keep a PEG Channel, consider requesting annual capital grants to replace some of the franchise fees lost (reminder: expenditures must be for capital purchases, not operations) and/or looking for sponsorships, similar to NH Public TV.

28



DTC Lawyers

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Meredith, New Hampshire 03253
Telephone: (603) 279-4158

Thank you
for your
attention!

Questions?

29

Upcoming Webinar



nhmainfo@nhmunicipal.org / 800.852.3358 / www.nhmunicipal.org

Upcoming Webinar



nhmainfo@nhmunicipal.org / 800.852.3358 / www.nhmunicipal.org



Upcoming Workshop

**A Right-to-Know Law
Workshop for
Law Enforcement**

9:00 am—12:00 pm
Tuesday, January 21, 2020
NHMA Offices, 25 Triangle Park Drive, Concord

WORKSHOP DESCRIPTION:

Join NHMA's Legal Services Counsel Stephen Bradley and Municipal Services Counsel Nanci Gargen who will provide an overview of the Right-to-Know Law and discuss how law enforcement agencies can best manage requests for information under the Right-to-Know Law.

The discussion of this workshop is presented in part by the Right-to-Know Law and in part by state-imposed data freedom laws such as the Freedom of Information Act (FOIA). This workshop will focus on the intersection of these two laws and how law enforcement agencies can best manage requests for information under both laws.

Attention will also be paid to disclosure exemptions found in other New Hampshire statutes governing Body Worn Cameras, police vehicle records, gun licenses, police personnel records, and the retention of police records.

your right to know

\$65.00 with NHMA's publications, *A Guide to Open Government: New Hampshire's Right-to-Know Law*

The Right-to-Know Law (RSA Chapter 91-A) affects every aspect of local government in every town, city, and village district in New Hampshire and must comply with this law, which requires that discussions and actions of these bodies take place in a public meeting subject to certain exceptions.

For registration information, visit nhmunicipal.org under Calendar of Events.

NHMA
New Hampshire Municipal Association
Call 800.852.3358 or email NHMAregistration@nhmunicipal.org

Questions?

nhmainfo@nhmunicipal.org / 800.852.3358 / www.nhmunicipal.org

Register
Here!

Upcoming Workshop

2020 Town & School Moderators Workshops Beginner & Advanced Training Provided!

SB & Meeting
9:00 am - 1:00 pm
Saturday, January 11
Show date: Saturday, January 11
25 Triangle Park Drive, Concord

Only \$65

Attendees will receive a copy of NHMA's 2020 edition of *Facilitating the Flow of Meetings Handbook*.



Topics Include:

The Basic Law of Town, Village, District and School District Meeting. Moderators prepare for meetings by understanding the roles and responsibilities of the moderator, the importance of the meeting agenda, and the importance of the meeting minutes. These topics will be addressed in two concurrent sessions: planning and facilitation. These topics will be addressed in two concurrent sessions: planning and facilitation. These topics will be addressed in two concurrent sessions: planning and facilitation.

Sample Scenarios

A series of sample scenarios will help attendees prepare for a wide range of meeting challenges. Register online at www.nhmunicipal.org under: CALENDAR OF EVENTS. Online pre-registration required one week prior to each date. Questions? Call 800.852.3358, ext. 3350 or email NHMAregistrations@nhmunicipal.org

REGISTER
HERE!

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THANK
YOU

for joining
us today

NHMA'S MISSION

Through the collective power of cities and towns, NHMA promotes effective municipal government by providing education, training, advocacy and legal services.



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**DES Waste Management Division
29 Hazen Drive; PO Box 95
Concord, NH 03302-0095**

**WORK PLAN
FOR REMEDIAL ACTION PLAN
DEVELOPMENT**

**Stratham Fire Department
4 Winnicutt Road
Stratham, New Hampshire 03885**

**NHDES Site #199507007
HAZWASTE Project #39137**

Prepared For:

Town of Stratham
10 Bunker Hill Road
Stratham, New Hampshire 03885
Phone Number: (603) 772-9750
RP Contact Name: Mr. David Moore
RP Contact Email: dmoore@strathamnh.gov

Prepared By:

Wilcox & Barton, Inc.
#1B Commons Drive, Unit 12B
Londonderry, New Hampshire 03053
Phone Number: (603) 369-4190 x502
Contact Name: Mr. Russell W. Barton
Contact Email: rbarton@wilcoxandbarton.com

August 17, 2020

Wilcox & Barton, Inc. Project #STRT0001

August 17, 2020

Mr. Jeffrey M. Marts, P.G.
New Hampshire Department of Environmental Services
29 Hazen Drive, P.O. Box 95
Concord, New Hampshire 03301-0095

**RE: Work Plan for Remedial Action Plan Development
Stratham Fire Department, 4 Winnicutt Road, Stratham, New Hampshire
NHDES Site #199507007, HAZWASTE Project #39137**

Dear Mr. Marts:

On behalf of the Town of Stratham, Wilcox & Barton, Inc. is pleased to submit this Work Plan to identify the scope and content of a proposed Remedial Action Plan (RAP) and the assess the potential bounds of a Groundwater Management Zone for the referenced release condition. The RAP will be designed to address elevated concentrations of per- and polyfluoroalkyl substances (PFAS) in groundwater for properties impacted by the Stratham Fire Department release.

This Work Plan was prepared pursuant to the New Hampshire Department of Environmental Services (NHDES) correspondence dated July 21, 2020, and subsequent telephone conversations with NHDES and the Town of Stratham on August 5, 2020. A copy of the correspondence is attached.

Site Description

The subject property is a 2.47-acre parcel of land referenced by the Town of Stratham as Tax Map 17, Lot 114, and is located at the corner of Winnicutt Road and Portsmouth Avenue. The site is occupied by a 20,000-square-foot fire station facility that was completed in 2008. The current facility replaced a smaller fire station that was demolished. The former fire station was built in 1957 and was located largely within the current building footprint.

The fire department building is served by a bedrock water supply well located near the southeastern corner of the Stratham Historical Society building, which shares the parcel with the fire department. The bedrock water supply well also serves the adjacent property to the south at 156 Portsmouth Avenue. The site and surrounding properties are depicted on Figure 1 – *Potential Receptor Map*.

Background

The presence of PFAS in regional groundwater is likely attributable to the previous use of Universal Gold Class B fire-fighting foam at the site prior to the early 2000s. The former fire station was in operation for approximately 50 years before the construction of the new facility began in 2007. While no direct evidence was encountered that documents specific releases of

PFAS to the environment during the use of the property as a fire station, it is well documented that PFAS have been used in Class B firefighting foams since the 1960s. Based on the presence of only trace levels of PFAS in upgradient monitoring well MW-101, the east-to-west direction of groundwater flow across the site, and the detection of elevated concentrations of PFAS in monitoring wells located at, and downgradient of, the subject property, Wilcox & Barton, Inc. concludes that the contaminant source is the soil and groundwater beneath the Fire Department property.

Contaminant Distribution

No soil samples were collected for PFAS analysis during the previous Focused Site Investigation (FSI). Although soil data could provide a qualitative assessment of soil quality at the site, no Soil Remediation Standards (SRS) exist for PFAS, nor has a leachability standard been established by which to determine how much PFAS in soil is capable of adversely impacting groundwater quality at concentrations that exceed current groundwater and residential drinking water regulatory criteria.

PFAS has been detected in samples collected from overburden groundwater monitoring wells at concentrations above Maximum Contaminant Levels (MCLs) at 4 Winnicutt Road and 157 Portsmouth Avenue. No overburden groundwater samples were collected from other properties as part of the FSI.

PFAS has been detected in samples collected from bedrock water supply wells in an approximate one-quarter-square-mile area on Winnicutt Road, Portsmouth Avenue, and College Road at concentrations above MCLs. The summary of drinking water receptors in the area is presented in Table 1 – *Potential Human Receptor List* and is shown on Figure 1.

One surface water sample (SW-1) was collected from the ponded area located within the traffic circle approximately one-quarter mile southeast of the subject property. The laboratory analytical results indicated the presence of several PFAS, including perfluorooctanoic acid (PFOA) at a concentration of 2.5 nanograms per liter (ng/L) and perfluorohexane sulfonic acid (PFHxS) at a concentration of 3.4 ng/L. There are currently no regulatory standards for PFAS in surface water; however, the results are referenced here for comparative purposes.

Purpose

The objective of this Work Plan is to establish the content of the RAP, which will identify a solution to mitigate the risk associated with PFAS in residential drinking water by reducing concentrations to levels below MCLs. The RAP will include a proposed monitoring program that is based on the results of the proposed supplemental groundwater and drinking water sampling.

Presumptive Assessment and Remedial Implementation

To fully develop the RAP and the supporting monitoring program, Wilcox & Barton, Inc. recommends completion of the following tasks:

- Collection of confirmatory drinking water supply samples at all wells where PFAS has been detected and at any newly-identified water supply well within 500 feet of an MCL exceedance (up to 30 water supply wells);
- Preparation of a RAP in accordance with NHDES Env-Or 606.10 through 606.12, with an exemption from Env-Or 606.10 (d)(3)(g) as no SRS exist for PFAS;
- Installation of POE systems at selected properties with water supply wells that have PFAS concentrations near or exceeding MCLs; and
- Submittal of a Groundwater Monitoring Permit (GMP) Application that includes:
 - A proposed Groundwater Monitoring Zone;
 - Quarterly performance monitoring of all POE systems treating water supply wells; and
 - Monitoring of contaminant trends and groundwater monitoring well compliance biannually.

Schedule

Assuming access is granted at each property for sample collection, Wilcox & Barton, Inc. will complete confirmatory drinking water sampling and submit the RAP and supporting GMP Application on or before October 30, 2020.

Please call me at (603) 369-4190 x502 if you have any questions or require additional information.

Very truly yours,

WILCOX & BARTON, INC.



Russell W. Barton
Senior Vice President

cc: Mr. David Moore, Town of Stratham

Attachments

NHDES CORRESPONDENCE



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Robert R. Scott, Commissioner

EMAIL ONLY

July 21, 2020

Michael Houghton
Select Board Chair, Town of Stratham
10 Bunker Hill Avenue
Stratham, NH 03885

Subject: **Stratham** – Stratham Fire Department, 4 Winnicutt Road
DES Site #199507007, Project #39022

Focused Site Investigation Report, Stratham Fire Department, 4 Winnicutt Road, Stratham New Hampshire, prepared by Wilcox & Barton, Inc., dated February 24, 2020

Dear Mr. Houghton:

The New Hampshire Department of Environmental Services (NHDES) has reviewed the above-referenced submittal prepared on behalf of the Town of Stratham by Wilcox & Barton, Inc. (WBI) for the Stratham Fire Department (Site) located at the 4 Winnicutt Road in Stratham. The report documents the focused site investigation (FSI) work completed to evaluate the presence of per- and polyfluoroalkyl substances (PFAS) in groundwater, as requested by NHDES in a letter dated April 26, 2019.

WBI attributes the source of PFAS in groundwater (and soil) to past use of Class B firefighting foam at the site. According to the report, the fire department switched in 2000 from a foam product that contained PFAS to a product that is 'fluorine free' and wash water for fire apparatus/equipment is contained in underground tanks for offsite disposal at the new fire station building. No specific release area has been identified at the site, though two cross gradient monitoring wells (MW-102 and MW-105) on either side of the site both contain elevated PFAS, indicating overburden groundwater contamination extends cross-gradient from the north to the south side of the present and past fire station buildings. PFAS detected in onsite monitoring wells are consistent with a historic release of Class B firefighting foam and, based on the information presented, there does not appear to be an on-going release related to current use of foam at the site.

Properties in the area surrounding the site use wells for their water supply. According to WBI, 50 samples collected from 48 water supply wells were analyzed for PFAS. PFAS were detected in all of the samples, and groundwater samples from 27 wells have elevated PFAS concentrations that warrant additional confirmation sampling and potential future treatment.

Based on a review of the information submitted to date, additional site investigation work does not appear warranted at this time; however, NHDES strongly encourages confirmation sampling be conducted prior to remedy implementation. NHDES requests submission of a Remedial Action Plan (RAP) for implementation of a presumptive remedy to address impacted water supply wells. NHDES' expectation, unless you indicate otherwise, is that Point-of-Entry (POE) treatment

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systems will be installed at impacted properties to mitigate groundwater contamination above the applicable standards. The RAP should include general details of the proposed POEs for the water supply wells. In addition, a Groundwater Management Permit (GMP) Application should be submitted as part of the RAP that provides for performance monitoring of treated water supply wells combined with the monitoring of contaminant trends and compliance with the Ambient Groundwater Quality Standards (AGQS).

NHDES appreciates the Town's efforts to conduct this investigation and provide bottled water to affected well users. Should you have any questions about the focused site investigation discussed herein, please do not hesitate to contact me directly at NHDES' Waste Management Division. Please provide NHDES with a schedule for submission of the RAP as soon as it is available.

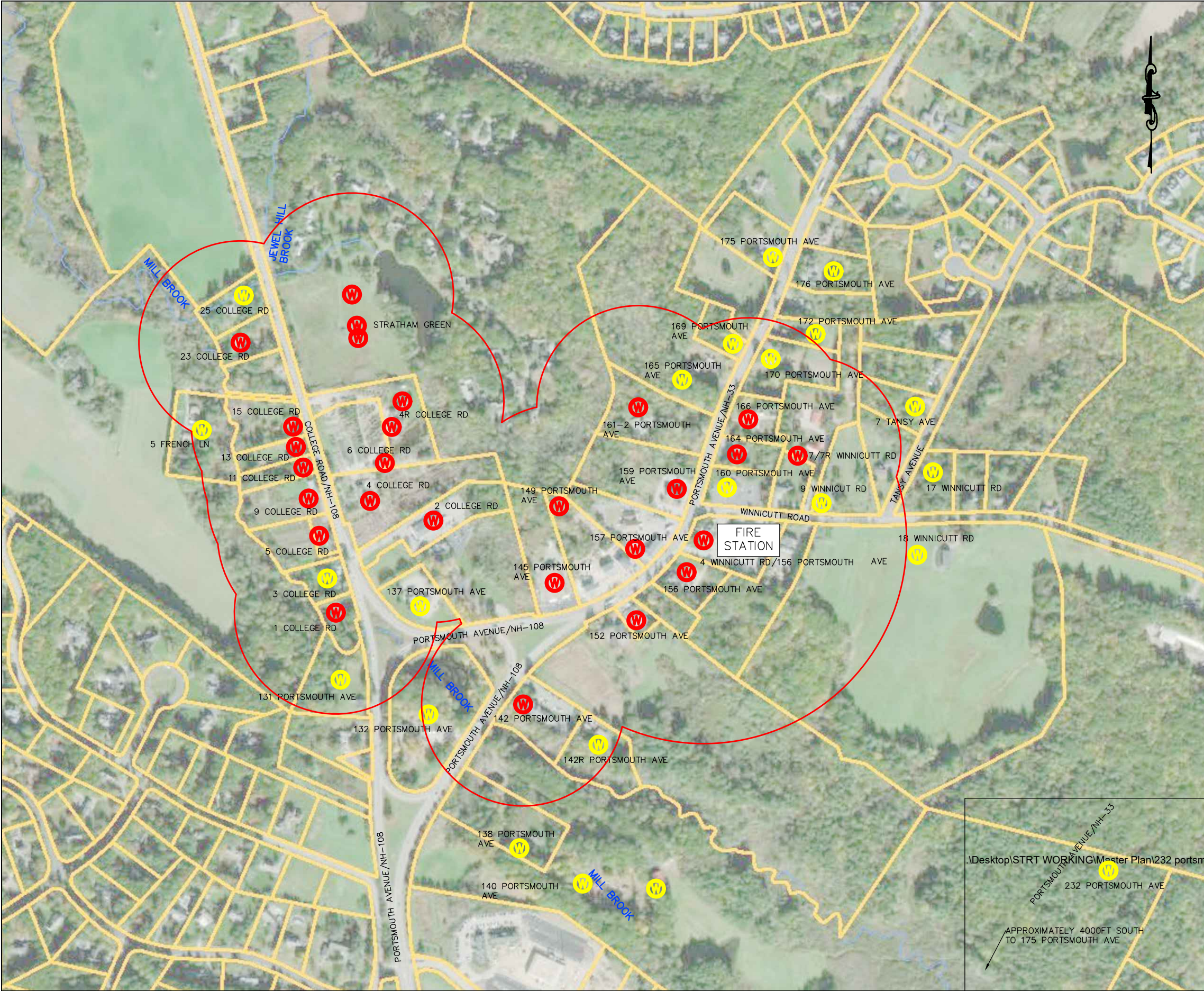
Sincerely,



Jeffrey M. Marts, P.G.
Senior Hydrogeologist
Hazardous Waste Remediation Bureau
Tel: (603) 271-6573
Fax: (603) 271-2181
Email: Jeffrey.Marts@des.nh.gov

ec: Amy Doherty, P.G., State Sites Supervisor, HWRB
Chelsea Hensley, Wilcox & Barton, Inc.
David Moore, Town Administrator, Town of Stratham
Matt Larrabee, Fire Chief, Town of Stratham
Attention Health Officer, Town of Stratham

FIGURE

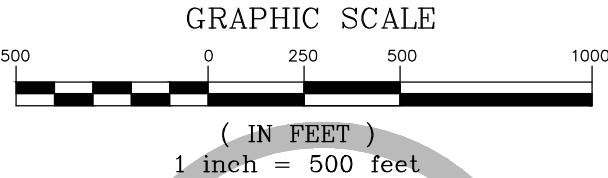


LEGEND

- PROPERTY LINE
- DRINKING WATER WELL WITH ONE OR MORE MCL EXCEEDANCES (AS OF SEPTEMBER 30, 2019)
- DRINKING WATER WELL WITH ONE OR MORE DETECTIONS LESS THAN MCLs
- 500-FOOT RADIUS FROM WATER SUPPLY WELLS WITH EXCEEDANCES OF ANY PFAS MCLs

NOTES

- ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
- PLAN BASED ON STRATHAM GIS DATA, AERIAL MAPS, SITE VISITS, WILCOX & BARTON INC. SURVEY DATA, AND NH GRANIT WELL LOCATIONS. EXACT WELL LOCATIONS UNKNOWN FOR 132, 131, 160 AND 164 PORTSMOUTH AVE, AND 18 WINNICUTT RD. DRAWING REPRESENTS APPROXIMATION.
- THIS PLAN IS NOT A PROFESSIONAL SURVEY AND IS NOT INTENDED TO ESTABLISH PROPERTY BOUNDARIES.
- ONLY DETECTIONS AND EXCEEDANCES FOR PFHxS, PFOA, PFOS, AND PFNA CONSIDERED, AS THESE COMPOUNDS HAVE ESTABLISHED AND/OR PROPOSED MCLs.
- PFAS EXCEEDANCES BASED ON SAMPLES COLLECTED BY BOTH WILCOX & BARTON INC. AND NHDES.



Wilcox & Barton INC.
CIVIL · ENVIRONMENTAL · GEOTECHNICAL

TITLE POTENTIAL RECEPTOR MAP		
DATE December 16, 2019	SCALE SEE GRAPHIC	FILE Master_Plan
APPROVED BY RWB	DRAWN BY ZRP	REVISED August 13, 2020
CLIENT Town of Stratham, NH		JOB NUMBER STRT0001
LOCATION Stratham Fire Department 4 Winnicutt Road Stratham, New Hampshire		DRAWING NUMBER FIGURE 1

TABLE

TABLE 1
Potential Human Receptor List
Stratham Fire Department
4 Winnicutt Road, Stratham, New Hampshire
NHDES Site No. 199507007

Property Identification (Map/ Lot/ Sub-Lot)	Property Address	Owner Name	Owner's Mailing Address* (if different from Property Address)	Property Use	Connected to Public Water?	Water Supply Well Located on Property?	Notes	Exceedances?
17/ 012	1 College Road	Emanuel, Fred Revocable Trust	6 Patriots Road, Stratham, NH 03885	Residential	No	Yes	Sampled (NHDES) 7/3/19	PFOA
17/ 035	2 College Road	Parsons M H & Sons Lumber Co.	P.O. Box 450, York, ME 03909	Commercial/Industrial (post office)	No	Yes	Sampled (W&B) 7/5/19	PFHxS, PFOA, PFOS
17/ 015	3 College Road	Schmidt Family Trust	P.O. Box 36, Stratham, NH 03885	Residential	No	Yes	Sampled (NHDES) 7/3/19	detections just below MCLs
17/ 034	4 College Road	4 College Rd Real Estate LLC, c/o David Short	P.O. Box 715, Stratham, NH 03885	Commercial/Industrial (retail/offices)	No	Yes	Sampled (NHDES) 4/24/19	PFOA, PFOS
17/ 032	4R College Road	Short, David and Jeanne	P.O. Box 715, Stratham, NH 03885	Residential	No	Yes	Sampled (NHDES) 4/24/19	PFOA, PFOS
17/ 017	5 College Road	Rawson, III Verne Edward		Residential	No	Yes	Sampled (W&B) 11/12/19	PFOA, PFOS
17/ 016	5R College Road	Rawson, III Verne Edward	5 College Road, Stratham, NH 03885	Residential	No	No	--	--
17/ 033	6 College Road	4 College Rd Real Estate LLC, c/o David Short	P.O. Box 715, Stratham, NH 03885	Commercial/Industrial	No	Yes	Sampled (NHDES) 4/24/19	PFHxS, PFOA, PFOS
17/ 018	9 College Road	Rawson, Jr. Verne E.		Residential	No	Yes	Sampled (W&B) 11/12/19	PFOS
17/ 019	11 College Road	Shine-Canty, Andrea J. and Alan P.		Residential	No	Yes	Sampled (NHDES) 6/13/19	PFOA, PFOS
17/ 020	13 College Road	Secore, Dennis and Gail		Residential	No	Yes	Sampled (NHDES) 10/2/19	PFHxS, PFOA, PFOS
17/ 021	15 College Road	Fawcett, Robert S. and Anne M.		Residential	No	Yes	Sampled (NHDES) 6/21/19	PFHxS, PFOA
17/ 024	19 College Road	Wingate Woods LLC	6 Patriots Road, Stratham, NH 03885	Residential	No	No	Abandoned - water turned off	--
17/ 025	23 College Road	Desroches, Michael and Margaret		Residential	No	Yes	sampled (NHDES)	PFOA
17/ 026	25 College Road	Bruno, Sharon and David		Residential	No	Yes	sampled (NHDES)	detections below MCLs
17/ 012	5 French Lane	Rowe, Kenneth and Dorothy	P.O. Box 146, Stratham, NH 03885	Residential	No	Yes	Sampled (W&B) 11/12/19	detections below MCLs
17/ 023	16 French Lane	Poco Realty Trust	6 Patriots Road, Stratham, NH 03885	Residential	No	Yes	NOT SAMPLED	--
17/ 022	131 Portsmouth Avenue	Emanuel, Fred Revocable Trust	6 Patriots Road, Stratham, NH 03885	Residential	No	Yes	Sampled (W&B) 11/12/19	detections below MCLs
17/ 013	132 Portsmouth Avenue	Tonal Hearth Property Management		Mixed Residential/Commercial	No	Yes	Sampled (W&B) 11/12/19	detections just below MCLs
17/ 036	137 Portsmouth Avenue	Zeff, Maureen and Richard	14 Evergreen Way, Stratham, NH 03885	Commercial/Industrial (doctor's office)	No	Yes	Sampled (W&B) 7/15/19	detections below MCLs
13/ 068	138 Portsmouth Avenue	King, Daryl M.		Residential	No	Yes	Sampled (NHDES) 4/29/19	detections below MCLs

TABLE 4
Potential Human Receptor List
Stratham Fire Department
4 Winnicutt Road, Stratham, New Hampshire
NHDES Site No. 199507007

Property Identification (Map/ Lot/ Sub-Lot)	Property Address	Owner Name	Owner's Mailing Address* (if different from Property Address)	Property Use	Connected to Public Water?	Water Supply Well Located on Property?	Notes	Exceedances?
17/ 037	139 Portsmouth Avenue	JP Commons LLC		Commercial (Salon/Spa)	No	Yes	NOT SAMPLED	--
13/ 067	140 Portsmouth Avenue	King Revocable Trust of 2001	P.O. Box 216, Stratham, NH 03885	Residential	No	Yes	Sampled (NHDES) 4/29/19	detections below MCLs
17/ 119	142 Portsmouth Avenue	Piper's Landing Partnership		Commercial (Offices)	No	Yes	Sampled (W&B) 7/15/19	PFHxS, PFOA, PFOS
17/ 120	142R Portsmouth Avenue	142 R Portsmouth Ave, LLC	P.O. Box 432, Stratham, NH 03885	Residential	No	Yes	Sampled (NHDES) 4/23/19	detections below MCLs
17/ 038	145 Portsmouth Avenue	F & T Realty Partnership c/o Cadieux, Thomas and Frank	P.O. Box 155, Stratham, NH 03885	Commercial (retail/shops)	No	Yes	Sampled 4/23/19	PFHxS, PFOA, PFOS
17/ 118	148 Portsmouth Avenue	Jones, Bradley R.	P.O. Box 175, Stratham, NH 03885	Commercial (restaurant/apartments)	No	Yes	NOT SAMPLED	--
17/ 040	149/151R Portsmouth Avenue	Jedi Realty, Inc.	149 Portsmouth Avenue, Stratham, NH 03885	Commercial/Industrial (Dentist)	No	Yes	Sampled 3/5/19	PFHxS, PFOA, PFOS
17/ 117	152 Portsmouth Avenue	Leshas LLC	24 Pinewood Drive, Stratham, NH 03885	Commercial (office)	No	Yes	Sampled 3/5/19	PFHxS, PFOA, PFOS
17/ 116	154 Portsmouth Avenue	Scheel, John B.	4 Tall Pines Drive, Stratham, NH 03885	Residential	No	Yes	--	--
17/ 115	156 Portsmouth Avenue	Lake, Colleen D. Revocable Trust		Commercial/Industrial	No	Yes	Sampled (NHDES) 3/22/19	PFHxS, PFOA, PFOS
17/ 041	157 Portsmouth Avenue	Forma Realty II, LLC	18 Congress Street, Suite 302, Portsmouth, NH 03801	Commercial/Residential mixed use	No	Yes	Sampled 3/22/19	PFHxS, PFOA, PFOS
17/ 042	159 Portsmouth Avenue	Forma, John Revocable Trust	18 Congress Street, Suite 302, Portsmouth, NH 03801	Commercial/Residential (apartments/offices)	No	Yes	Sampled 4/24/19	PFHxS, PFOA, PFOS
17/ 089	160 Portsmouth Avenue	Chittenden Trust Company c/o People's United Bank	850 Main Street, Bridgeport, CT 06604	Commercial (bank)	No	Yes	Sampled (W&B) 7/15/19	PFHxS, PFOA, PFOS
17/ 043	161-2 Portsmouth Avenue	Deane, Ronald and Sandra	161 Portsmouth Avenue, Unit 2, Stratham, NH 03885	Residential (condex)	No	Yes	Sampled (NHDES) 5/24/19	PFHxS, PFOA, PFOS
17/ 088	164 Portsmouth Avenue	Blunt Family Revocable Trust	P.O. Box 268, Stratham, NH 03885	Commercial (store)	No	Yes	Sampled (W&B) 7/15/19	PFHxS
17/ 044	165 Portsmouth Avenue	Libby Revocable Trust 2017		Residential	No	Yes	Sampled (NHDES) 5/2/19	detections below MCLs
17/ 087	166 Portsmouth Avenue	McLaughlin, Robert and Smith, Barbara	P.O. Box 793, Stratham, NH 03885	Residential	No	Yes	Sampled (NHDES) 5/2/19	PFHxS
17/ 045	169 Portsmouth Avenue	169 Portsmouth Ave, LLC	98 Linden Street, Exeter, NH 03833	Residential	No	Yes	Sampled (NHDES) 5/2/19	detections below MCLs
17/ 086	170 Portsmouth Avenue	Marston, Christopher Glen	7 Winnicutt Road, Stratham, NH 03885	Residential	No	Yes	Sampled (NHDES) 5/24/19	detections below MCLs
17/ 085	172 Portsmouth Avenue	Izzo, Patricia and Mario		Residential	No	Yes	Sampled (NHDES) 4/24/19	detections below MCLs
17/ 047	175 Portsmouth Avenue	Thibault, Gerard		Residential	No	Yes	Sampled (NHDES) 5/3/19	detections below MCLs

TABLE 4
Potential Human Receptor List
Stratham Fire Department
4 Winnicutt Road, Stratham, New Hampshire
NHDES Site No. 199507007

Property Identification (Map/ Lot/ Sub-Lot)	Property Address	Owner Name	Owner's Mailing Address* (if different from Property Address)	Property Use	Connected to Public Water?	Water Supply Well Located on Property?	Notes	Exceedances?
17/ 083	176 Portsmouth Avenue	Johnson, Joel		Residential	No	Yes	Sampled (NHDES) 5/3/19	detections below MCLs
21/ 055	232 Portsmouth Avenue	Munton, Christopher and Amanda		Residential	No	Yes	Sampled (NHDES) 4/29/19	detections below MCLs
17/ 093	1 Tansy Avenue	Waldron, George B.		Residential	No	Yes	NOT SAMPLED	--
17/ 094	7 Tansy Avenue	Hennessy, Sean and Casandra		Residential	No	Yes	Sampled (NHDES) 5/3/19	detections below MCLs
17/ 114	4 Winnicutt Road	Town of Stratham	10 Bunker Hill Avenue, Stratham, NH 03885	Fire Department	No	Yes	Sampled (NHDES) 3/22/19	PFHxS, PFOA, PFOS
17/ 090	7 Winnicutt Road	Marston, Gregory W.		Residential	No	Yes	Shared Well Sampled (NHDES) 6/17/19	PFOA
4/ 25/ 0	7R Winnicutt Road	Marston, Ralph		Residential				
17/ 113	8 Winnicutt Road	Cornerstone Baptist Church		Church	No	No	Abandoned - water turned off	--
17/ 092	9 Winnicutt Road	Herrington, Dale and Amy		Residential	No	Yes	Sampled (NHDES) 5/9/19	detections below MCLs
17/ 106	17 Winnicutt Road	Iudice, John and Iannacone, Melissa		Residential	No	Yes	Sampled (NHDES) 6/21/19	detections below MCLs
17/ 112	18 Winnicutt Road	Stark-Jones Revocable Trust	P.O. Box 175, Stratham, NH 03885	Residential	No	Yes	Sampled (NHDES) 4/25/19	detections below MCLs

Notes:

RED = One or more PFAS exceedances.

ORANGE = One or more PFAS detections close to MCLs.

* = All addresses are Stratham, New Hampshire 03885 unless noted.

Information obtained from the Town of Stratham Assessor's Database on October 21 and December 26, 2019.

-- = information not readily available.

COST ESTIMATE

Wilcox & Barton, Inc.
#1B Commons Drive, Unit 12B
Londonderry, New Hampshire 03053

Project: Town of Stratham PFAS RAP

August 21, 2020

TASK	STAFF	UNIT	TYPE	RATE	COST
Task 1.8 - Project Planning, Communications with NHDES, Client discussions, Work Plan					
	Principal Geologist/Engineer/Scientist	15	Hour	\$ 155.00	\$ 2,325.00
	Project Geologist/Engineer/Scientist	10	Hour	\$ 95.00	\$ 950.00
				Subtotal	\$ 3,275.00
Task 1.9 - Modified Remedial Action Plan					
	Principal Geologist/Engineer/Scientist	15	Hour	\$ 155.00	\$ 2,325.00
	Project Geologist/Engineer/Scientist	30	Hour	\$ 95.00	\$ 2,850.00
				Subtotal	\$ 5,175.00
Task 1.10 - Sample Collection Scheduling					
	Principal Geologist/Engineer/Scientist	3	Hour	\$ 155.00	\$ 465.00
	Project Geologist/Engineer/Scientist	6	Hour	\$ 95.00	\$ 570.00
	Travel	25	Miles	\$ 0.580	\$ 14.50
				Subtotal	\$ 1,049.50
Task 1.11 - Drinking Water/Groundwater Sampling and Transmittal Letters					
	Project Geologist/Engineer/Scientist	30	Hour	\$ 95.00	\$ 2,850.00
	Project Geologist/Engineer/Scientist	40	Hour	\$ 95.00	\$ 3,800.00
	Principal Geologist/Engineer/Scientist	6	Hour	\$ 155.00	\$ 930.00
	Administrative	6	Hour	\$ 75.00	\$ 450.00
	Travel	300	Miles	\$ 0.580	\$ 174.00
	Field Supplies	1	Day	\$ 28.75	\$ 28.75
	PFAS - Drinking Water	30	Each	\$ 205.00	\$ 6,150.00
	PFAS - Groundwater	7	Each	\$ 270.00	\$ 1,890.00
	Supplemental Analytical - Drinking Water	1	Each	\$ 3,000.00	\$ 3,000.00
	15% markup	1	15%		\$ 283.50
				Subtotal	\$ 19,556.25

Task 1.11 - Data Tabulation						
	Principal Geologist/Engineer/Scientist	2	Hour	\$	155.00	\$ 310.00
	Project Geologist/Engineer/Scientist	24	Hour	\$	95.00	\$ 2,280.00
	Administrative	2	Hour	\$	75.00	\$ 150.00
	EMD Upload	1	Each	\$	570.00	\$ 570.00
Subtotal						\$ 3,310.00
Task 1.12 - Bidding Support_POE System(s)						
	Principal Geologist/Engineer/Scientist	4	Hour	\$	155.00	\$ 620.00
	Project Geologist/Engineer/Scientist	8	Hour	\$	95.00	\$ 760.00
	Travel	100	Miles	\$	0.580	\$ 58.00
Subtotal						\$ 1,438.00
Task 1.13 - Groundwater Management Permit Application						
	Principal Geologist/Engineer/Scientist	8	Hour	\$	155.00	\$ 1,240.00
	Project Geologist/Engineer/Scientist	25	Hour	\$	95.00	\$ 2,375.00
Subtotal						\$ 3,615.00
Total						\$ 37,418.75

Contractor I ###	change this value only.
Text value	this value will change automatically

subcontractor dollars: #REF!

David Moore

From: Herbold, Stacey <STACEY.P.HERBOLD@des.nh.gov>
Sent: Thursday, August 27, 2020 12:23 PM
Subject: Drought Update

Importance: High

Dear Municipal Contacts: (Please forward to governing board.)

According to the U.S. Drought Monitor, over 90% of the state is experiencing drought, which is up from 70% last week. Last week, portions of the state were elevated from “moderate drought” (D1) to “severe drought” (D2), including Rockingham County, Merrimack County, over half of Strafford County, as well as a small area of Belknap and Hillsborough county. This week, severe drought designation further expanded into the western third of Hillsborough County. The remainder of the state is designated as “moderate drought”, with the exception of the northern tip of Coos County and a small sliver on the western side of Coos and Carroll County, which are categorized as “abnormally dry”. Finally, there is some relief in sight. Remnants of Hurricane Laura are forecast to bring from 1”-2” of widespread rain Saturday. Cooler temperatures are forecast through midweek, meaning less precipitation lost to evaporation. The state will need more of these storms to ameliorate drought conditions. The 90-day precipitation deficits by county for New Hampshire range from -4” to -6” in Strafford, Rockingham, Hillsborough, Merrimack, Grafton, and Belknap; -2” to -3” in Cheshire, Sullivan, and Carrol; and -1” to -2” in Coos.

NHDES is urging municipalities in areas experiencing drought to implement municipal-wide lawn watering restrictions as authorized by RSA 41:11-d, which allows municipalities, including village districts, to restrict lawn watering activities on private well owners and community water systems within municipal boundaries. Water supply shortages are more common during severe drought, especially when conservation measures have not been taken during moderate drought. Curbing lawn water usage is imperative to sustaining supplies. NHDES is also working with public water suppliers to implement restrictions. To date, 143 water systems serving a total of 270,000 people and one municipality with a population of 14,300 have implemented outdoor water use restrictions. See the [Restriction List and Map](#) for names of systems implementing restrictions and a map of drought conditions by municipality.

See [Drought Guidance for Municipalities](#) for guidance on adopting a lawn water restriction, public messaging, and providing emergency water supplies to the public.

Please report restrictions to NHDES for posting on the NHDES website using the [Restriction Reporting Form](#). Please also inform residents to report residential well shortages using the [Residential Well Impact Survey form](#). NHDES will track well impacts so as to provide current information on drought impacts in your region.

Drought Update:

According to the [U.S. Drought Monitor](#) released this morning, 23% of the state is categorized as “severe drought” (D2), 69% of the state is categorized as “moderate drought” (D1) and 7% of the state is categorized as “abnormally dry”.

Tip* The [restriction map](#) includes town boundaries and drought categories, making it easy to identify if your water system’s service area is experiencing drought.

All counties are experiencing a 90-day precipitation departures. Departures range from -1.42” in Coos County to -5.18” in Rockingham County (<https://w1.weather.gov/data/TAR/ESPTAR>).

The majority of the state is experiencing below normal to low groundwater levels. For more information, see the [New Hampshire Groundwater Level Monitoring Report](#) for July 2020. Reports are released monthly. *August’s report will be released next week.

Forecast and Outlooks:

The short term forecast calls for potential showers and thunderstorms today in the southern portion of the state, from Lebanon to Concord to the Seacoast. Widespread rain, the remnants of Hurricane Laura, will pass through the region on Saturday bringing 1"-2" of rain. Dry and cool temperatures on Monday and Tuesday will be followed by warmer air in the middle of the week, which may bring more precipitation to the area on Wednesday([NOAA National Weather Service](#)).

The [8-14 day outlook](#) favors above normal precipitation and above normal temperatures across the state.

Due to the probability for higher temperatures and periods of little precipitation, the [U.S. Monthly Drought Outlook](#) favors drought conditions to persist through the month of August. Outlooks are released at the end of the month.

Stacey Herbold

[Water Conservation Program](#)

[Water Use Registration and Reporting Program](#)

NHDES Drinking Water and Groundwater Bureau

29 Hazen Drive, P.O. Box 95

Concord, NH 03302-0095

PH: (603) 271-6685

FAX: (603) 271-0656



It's a no brainer! WaterSense certified products, such as showerheads and toilets, save 20% more water than their similar counterparts and are guaranteed to perform as well or better.

From: Herbold, Stacey

Sent: Thursday, August 20, 2020 2:05 PM

Subject: Drought Update: Drought Conditions Intensify

Importance: High

Dear Municipal Contacts: (Please forward to governing board.)

Last week 48% of the state was categorized as experiencing drought and this week 69% of the state is categorized as experiencing drought. Also, for the first time this season, portions of the state been elevated from "moderate drought" (D1) to "severe drought" (D2). Areas experiencing severe drought include Rockingham County, Merrimack County, over half of Strafford County, as well as a small area of Belknap and Hillsborough county. To determine conditions in your region, see the [drought restrictions and conditions map](#).

Relief from drought conditions is not looking promising. The heat and humidity are forecast to return tomorrow. Thunderstorms are also forecast for Friday and through early next week, but not widespread enough to be significant. The 8-14 day precipitation outlook favors above normal precipitation, but the indicator is not strong meaning there is only a slight chance of above normal precipitation. The 8-14 day temperature outlook indicator is also not strong, but predicts above normal temperatures in the south and below normal temperatures in the north.

NHDES is urging municipalities in areas experiencing drought to implement municipal-wide lawn watering restrictions as authorized by RSA 41:11-d, which allows municipalities, including village districts, to restrict all or some lawn watering activities on private well owners and community water systems within municipal boundaries. Water supply shortages are more common during severe drought; therefore, lawn watering restrictions should be stricter in areas experiencing severe drought. NHDES is also working with public water suppliers to implement restrictions. To date, 134 community water systems have implemented outdoor water use restrictions. Municipalities are urged to work with local community water systems on implementing coordinated restrictions.

See [Drought Guidance for Municipalities](#) for guidance on adopting a lawn water restriction, public messaging, and providing emergency water supplies to the public.

Please report restrictions to NHDES for posting on the NHDES website using the [Restriction Reporting Form](#). Please also inform residents to report residential well shortages using the [Residential Well Impact Survey form](#). NHDES will track well impacts so as to provide current information on drought impacts in your region.

Stacey Herbold
[Water Conservation Program](#)
[Water Use Registration and Reporting Program](#)
NHDES Drinking Water and Groundwater Bureau
29 Hazen Drive, P.O. Box 95
Concord, NH 03302-0095
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It's a no brainer! WaterSense certified products, such as showerheads and toilets, save 20% more water than their similar counterparts and are guaranteed to perform as well or better.

**TOWN OF STRATHAM,
NEW HAMPSHIRE**

**SELECT BOARD POLICY:
RULES OF PROCEDURE**



*Adopted February 5, 2007
Revised November 17, 2008
Revised April 9, 2018
Revised May 14 & 21, 2018
Revised August 2020*

DRAFT

**TOWN OF STRATHAM
NEW HAMPSHIRE**

Select Board Rules of Procedure

The following Rules of Procedure were adopted by a majority vote of the Stratham Select Board on February 5, 2007. They were further revised by majority vote of the Select Board on November 17, 2008, April 9, 2018, and on May 14 & 21, 2018. They were again revised on August , 2020.

Stratham Select Board

Michael Houghton, Chair

Joseph Lovejoy, Vice Chair

Allison Knab, Select Board member

DRAFT

Date of filing with the Office of the Town Clerk: _____

Received by: _____
Joyce Charbonneau, Town Clerk/Tax Collector

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SECTION I GENERAL PROVISIONS

Rule 1. Select Board Meeting – Location and Posting

All meetings of the Town of Stratham Select Board (the Board) shall be held at the Stratham Municipal Center, unless the Board adjourns to another location or the meeting is scheduled for another location and is properly noticed. In general, meetings of the Board must have at least 24-hour notice (not counting Saturdays and Holidays) prior to the meeting (RSA 91-A). Notice must be either published in a newspaper, or posted in two prominent public places and on the Town's Website. Other statutes may require longer periods for and/or different types of notice, such as public hearings, depending on the action being considered. (Added 5/21/2018)

Rule 2. Select Board Meeting – Day and Time

Meetings of the Town of Stratham Select Board shall begin on the first and third Monday at ~~7:30~~ 7:00 p.m., unless otherwise noticed, and/or continued to a specific time and date. (Revised 5/14/2018 and 8/ /2020)

Rule 3. Select Board Meetings - Open to the Public

All meetings of the Town of Stratham Select Board and Committees thereof shall be open to the public, except as provided for by RSA 91-A.

Rule 4. Election of Officers

Procedures for electing officers are as follows:

(A) Annually, at the first meeting of the new Select Board, the members thereof shall choose, from among their number, a Chair and a Vice Chair. In addition to the powers conferred upon the Chair and the Vice Chair, he/she shall continue to have all the rights, privileges, and immunities of a member of the Select Board.

(B) The above election shall be by a majority vote of the Select Board present at the first meeting after the close of the Annual Town Meeting.

Rule 5. Presiding Officer

(A) The Chair of the Select Board shall preside at all meetings of the Select Board, and be recognized as the head of the Town for all ceremonial purposes. The Chair has no regular administrative or executive duties. In

case of the Chair's absence or temporary disability, the Vice Chair shall act as Chair during the continuance of the absence. ~~In case of the absence or temporary disability of both the Chair and the Vice Chair, an acting Vice Chair of the Select Board selected by members of the Select Board shall act as the Chair during the continuance of the absences or disabilities.~~ The Chair of the Select Board or the Vice Chair is referred to as "Presiding Officer" from time to time in these Rules of Procedure. (Deleted 5/21/2018)

(B) The Presiding Officer shall preserve order and decorum, may participate in the discussion of any issue before the Select Board, may submit reports and legislation to the Select Board for its consideration, which shall require both motion and second by other members of the Select Board, may speak to points of order in preference to other members of the Select Board, and shall decide all questions of order or procedure, subject to appeal to the full Select Board ~~as provided for in Appendix A.~~ The Presiding Officer is allowed to vote on any matter before the Board with the exception of a vote concerning the Officer's ethical conduct. (Deleted 5/21/2015)

Rule 6. Duties and Privileges of Select Board

The duties of the Select Board shall be those defined within the town charter, local ordinance, and the state law. Members of the Select Board shall address the Board upon recognition by the Presiding Officer. Select Board members may submit reports and legislation upon their own motion for discussion by the Select Board as a whole. Comment and debate shall be confined to the subject matter of the question. No Select Board member shall be interrupted while speaking except for a point of order or correction of a mistake of fact.

Rule 7. Quorum

~~Three~~ Two Select Board members shall constitute a quorum for the conduct of town business. (Revised 4/9/2018)

Rule 8. Select Board Meeting Agenda

The Town Administrator or any member of the Select Board may place a matter upon the agenda. The Town Administrator shall arrange a list of such matters according to the order of business and prepare an agenda for review by the Chair of the Select Board. Upon approval, a copy of the agenda and supporting materials shall be prepared for all Select Board members. These materials shall be available at the Select Board's Office on the Friday preceding a scheduled meeting of the Select Board.

Matters submitted by members of the public must be received at the Select Board's office

by 4:00 PM on the Wednesday prior to a scheduled meeting in order to be considered for placement on the agenda. Due to scheduling and time constraints, an item submitted by the public is not guaranteed to be placed on the next meeting's agenda.

Rule 9. Order of Business

Generally, the business of all meetings of the Select Board shall be transacted as follows; provided, however that the Presiding Officer may, during a Select Board meeting, rearrange items on the agenda to conduct the business before the Select Board more expeditiously.

- Call to Order
- Secretary's Report
- Treasurer's Report
- Chair's Report
- Park Permits/Municipal Center Rentals
- Department Reports (Projects, Issues, Reports Involving Town Staff)
- Public Hearings (if necessary)
- Old Business (Appointments and Continued Business)
- New Business
- Public Comment
- Other Business (Board Reports and/or Issues)
- Incoming & Outgoing Correspondence, Pending Items, Signing of Documents
- Media Questions
- Non-public Sessions (if necessary)
- Adjourn

~~Adjournment: No meeting should be permitted to continue beyond 10:00 PM without approval of a majority of the Select Board members who are present and eligible to vote. A new date and time must be established before taking a Select Board vote to extend the meeting. In the event that a meeting has not been closed or continued by Select Board vote prior to 10:00 P.M., the items not acted on will be deferred to the next Select Board meeting, unless the Select Board, by a majority vote of members present, determines otherwise. (Deleted 11/17/2008)~~

Rule 10. Town Administrator

The Town Administrator, as the chief executive officer, shall attend all meetings of the Select Board, unless excused by the Presiding Officer of the Select Board. The Town Administrator may take part in all Select Board's discussions on all matters on the agenda, and otherwise concerning the welfare of the Town. In the event that the Town Administrator is unable to attend a Select Board meeting, the Town Administrator may appoint another qualified staff member to attend the meeting on behalf of the Town Administrator.

Rule 11. Clerk of the Select Board

The Town Administrator shall be the Clerk of the Select Board and shall keep minutes and perform such other and further duties in the meeting as may be required. The Town Administrator may delegate any of these functions to a member of his/her staff.

**SECTION II
DUTIES AND PRIVILEGES OF MEMBERS**

Rule 12. Forms of Address

The Chair of the Select Board shall be addressed as "Mr./ Madame Chair or as "Chairman (surname)." The Vice Chair of the Select Board, when acting for the Chair, shall be addressed in the same manner. Members of the Select Board shall be addressed as "Select Board (surname)." This is an optional Rule that may be adopted at the annual organizational meeting.

Rule 13. Seating Arrangement

Select Board members shall occupy the respective seats in the Public Hearing Room as assigned to them by the Chair.

Rule 14. Ethics Policy and Its Application.

(A) Prior to any vote, each Select Board member should give consideration whether a potential violation of the Town Ethics Policy exists (See Appendix A). If the Select Board member believes a potential violation may exist, no matter how remote, the Select Board member should disclose such facts to the Presiding Officer.

(B) Whenever a Select Board member discloses there is a potential violation of the Ethics Policy, the Presiding Officer shall review the facts and rule whether the Select Board member shall vote in this instance. The Presiding Officer's ruling shall be binding unless overruled by a vote of the majority of the Select Board.

(C) Any member of the Select Board seeking to disqualify a Select Board member from participating in a decision on the basis of a potential violation of the Ethics Policy must raise the challenge as soon as the basis for disqualification is made known or reasonably should have been made known prior to the issuance of the decision; upon failure to do so, the Ethics

Policy may not be relied upon to invalidate the decision. The party seeking to disqualify the Select Board member shall state, with specificity, the basis for disqualification. Should such challenge be made prior to the hearing or vote, the Presiding Officer shall review the facts and rule whether the Select Board member shall participate and/or vote in this instance. The Presiding Officer's ruling shall be binding unless overruled by a vote of the majority of the Select Board.

(D) The Presiding Officer shall have sole authority to postpone any matter or vote if and when a potential for a violation of the Ethics Policy exists in order for the Town Attorney to review the matter and render an opinion to the Select Board whether the Select Board member's participation would/would not violate the Town's Ethics Policy.

(E) After receiving the Town Attorney's opinion that a violation of the Ethics Policy exists, the Presiding Officer shall rule that the Select Board shall not participate and/or vote in the matter subject to the opinion. The Select Board, by a two-thirds vote, may override the Presiding Officer's ruling and the Select Board shall be permitted to participate and vote in the matter before the Select Board.

Rule 15. Dissents and Protests

Any Select Board member shall have the right to express dissent from or protest against any decision of the Select Board and have the reason therefore entered in the minutes.

Rule 16. Rules of Order

To the extent these rules and orders are not comprehensive, all questions of order shall be resolved by reference to Robert's Rules of Order, if need be. The Presiding Officer shall rule on all matters raised by this rule. At the annual organizational meeting, the Board shall adopt Robert's Rules of Order or such other written rules it deems appropriate and publish in Appendix B.

RULE 17. Motions

(A) Main Motions: Main motions, motions to take from the table, and motions to take up a question previously postponed are in order only when no other question is under debate. A main motion may be debated, amended, and reconsidered. Motions to take from the table or to take up a question previously postponed may not be debated, amended, or reconsidered.

(B) **Subsidiary Motions.** When a question is under debate, the following motions shall be in order according to the following priority:

- (1) To adjourn (may not be debated, amended, or reconsidered) rendering the main motion moot if adopted.
- (2) To lay the question on the table (may not be debated, amended or reconsidered) If adopted, this renders the main motion moot if not taken from the table before adjournment.
- (3) To call the question (may not be debated, amended, or reconsidered).
- (4) To postpone the question to a date certain (may be debated, amended, and reconsidered).
- (5) To postpone the question indefinitely (may be debated, and reconsidered, but not amended) rendering the main motion moot if adopted.
- (6) To commit or refer to committee (may be debated, amended, and reconsidered).
- (7) To amend (may be debated and reconsidered, but not amended).

Rule 20. Reconsideration and Recision.

Following the final vote on a question, any Select Board member who the record indicates has voted with the prevailing side may move for reconsideration. No such motion shall be in order unless it is made at the meeting at which the Select Board acted on the question, or at the next succeeding meeting provided, written notice is provided in sufficient time for matter to be included as an item on the agenda of the next succeeding meeting. In the absence of such notice, no motion for reconsideration will be in order. A motion to reconsider is debatable provided the subject question was debatable. A motion to reconsider cannot be amended or reconsidered.

Rule 21. Suspension of Rules.

A motion to suspend these rules shall be in order at any time except during discussion. A motion to suspend shall require a two-thirds vote of those present and voting.

Rule 22. Actions for a Public Hearing

The procedures for a public hearing are as follows:

- (A) At the outset of each public hearing, the Presiding Officer will announce the purpose of the public hearing and ask the parties wanting to speak to limit their presentations to information within the scope of the matter before the Select Board.
- (B) The Presiding Officer may call upon the Town Administrator or other appropriate party to describe the matter under consideration and/or read the public notice for the hearing.
- (C) Each speaker, for and against the matter before the Select Board for public hearing, shall identify himself or herself by name and address. The Presiding Officer may limit the length of time allowed for speakers to address the Board.
- (D) During the hearing, any Select Board member shall be permitted to ask the speaker questions provided they are relevant to the matter before the Select Board for Public Hearing. The Presiding Officer shall retain the right to determine the relevancy of any question.
- (E) The Presiding Officer closes the public hearing.
- (F) The Presiding Officer shall then inquire if there is a motion by any Select Board member. If a motion is made, it shall be in the form of an affirmative motion. Following the motion and its second, discussion occurs among Select Board members. The Presiding Officer may call on individual Select Board members in the discussion.

Rule 23. Voting

The votes during all meetings of the Select Board shall be transacted as follows:

- (A) The Presiding Officer may require any question to be submitted in writing before the vote, and shall state each question before the vote.
- (B) Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of any Select Board member, a roll call vote shall be taken. The Presiding Officer shall determine the order of the roll call vote. In addition, the Presiding Officer may, at his sole discretion, require a show of hands to insure the proper resolution of the vote. Secret ballot votes by Boards, Committees, and Commissions are illegal in New Hampshire.

(C) Every Board member who is in the hearing room when the question is called shall vote on the question before the Board. Board members may, for good cause, recuse from a vote should they feel that to vote would constitute a violation of the Town's Ethics Policy, or that their participation in debate or voting would constitute a conflict of interest or other similar disqualifying circumstances. That Select Board member shall at the beginning of the debate on any such motion announce their intention to recuse himself/herself and shall take no part in the debate and shall not vote on the issue. The recused individual shall physically remove himself or herself from their assigned seat until the disqualifying matter is no longer before the Board.

Rule 24. Committees/Liaisons

~~(A) Selectmen study committees may be created by the Select Board for a particular purpose, or when the issue is so complex and time consuming that it cannot be reasonably handled at a Select Board or Committee of the Whole meeting. Select Board study committees shall consist of two Select Board members appointed by a vote of the Board. Special Select Board committees shall sunset at the end of their mission, but no later than the date of the first meeting of a new Select Board held after the close of the Annual Town Meeting unless renewed at that meeting. (Deleted May 21, 2018)~~

(B) Select Board Representatives: Select Board members may serve as representatives and/or liaisons to various town organizations and committees. These representatives shall be nominated and approved by the Select Board on an annual basis (usually at the first meeting of the new Board).

(C) Special Ad Hoc citizen advisory committees may be created by the Select Board for a particular purpose. All such committee members shall be nominated and approved by the Select Board. Ad Hoc committees shall sunset at the end of their mission, but no later than the date of the first meeting of a new Select Board held after the close of the Annual Town Meeting, unless specifically continued by the Select Board thereafter for a specified time period. One Select Board member, appointed by the Select Board, may serve as a representative to a citizen advisory committee.

(D) Committees may make recommendations on proposed programs, services, ordinances, and resolutions within their area of responsibility before the Select Board takes action. The committee chair may present the

recommendations of the committee during the discussion of the item of business during a meeting of the Town Select Board.

(E) With the concurrence of the Town Administrator, Town employees may staff the various committees as directed by the Town Administrator, but no staff person shall serve as a voting member of a study committee. This rule does not apply to employees directly appointed by the Select Board to a committee.

(F) Minutes of committee meetings shall be recorded in accordance with RSA 91-A, the NH Right to Know Law.

Rule 25. Nominations/Appointments

The procedure for nominating and appointing Select Board representatives and citizens to town boards, commissions and committees shall be as follows:

(A) Single nomination. Whenever only one person is nominated to a particular position, the nomination shall be made by a member of the Select Board, and then seconded. Once seconded, a vote is taken. Should the person so nominated receive the majority of votes from that Select Board present, the nomination is confirmed. If the majority of that Select Board present votes not to approve the nomination, the nomination shall be considered rejected and the name removed from further consideration.

B) Multiple nominations. Whenever there are multiple nominations for one position, each name will be placed in nomination with no requirement for a second, although a nomination may receive a second if a Board member wishes to do so. When all nominations are closed, each member of the Select Board shall have an opportunity to speak regarding the qualifications of nominees, and then each Select Board member shall cast a vote for no more than one name. The name receiving a majority of those Select Board members present and voting shall be deemed confirmed. Should no one nomination receive a majority of the vote and there are more than two nominations for the one position, then the nomination with the least number of votes received shall be removed from the second round of voting. The Select Board shall then vote a second time on those nominations remaining. If the second vote fails to confirm an appointment, the Presiding Officer may order a third vote or declare the matter deadlocked and order the nomination be forwarded to the next meeting of the Town Select Board. In the case of only two nominations not receiving a majority vote, the Presiding officer may order a second vote or order the nomination be forwarded to the next meeting of the Town Select Board.

C) Opportunities to participate in newly formed committees and vacancies on existing boards and commissions under the appointment authority of the Select Board shall be advertised by posting in at least two public places. Other means of advertising vacancies such as the town web page and publication in a local newspaper of general distribution may also be used.

Rule 26. Enacted Ordinances, Resolutions and Motions - Defined

(A) An enacted ordinance is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the corporate affairs of the municipality. Select Board action shall be taken by ordinance when required by law, or to prescribe permanent rules of conduct, which continue in force until repealed, or where such conduct is enforced by penalty.

(B) An enacted resolution is an internal legislative action that is a formal statement of policy concerning matters of a special or temporary character. Select Board action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired.

(C) An enacted motion is a form of action taken by the Select Board to direct that a specific action be taken on behalf of the municipality. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law.

Rule 27. Resolutions

Each resolution may be voted and approved on the same day on which it was introduced. The title of each resolution shall in all cases be read prior to its passage; provided, should a majority of the Select Board members present request that the entire resolution or certain of its sections be read, such requests shall be granted.

RULE 28. Ordinances

The procedure for ordinances is as follows:

(A) With the exception of Franchise Ordinances and any ordinance that imposes a financial penalty, an ordinance may be voted and approved on the same day on which it was introduced. The title of each ordinance shall in all cases be read prior to its passage; provided, should a majority of the Select Board members present request that the entire ordinance or certain of its sections be read, such requests shall be granted.

(B) Any ordinance that imposes a financial penalty shall require two readings prior to adoption. The second reading shall not be made at the same meeting at which the ordinance is introduced and read for the first time.

(C) Franchises. All resolutions and ordinances granting a franchise require two readings prior to adoption. The second reading shall not be made at the same meeting at which the resolution or ordinance is introduced.

(D) Emergency Ordinances. The Board may, without notice or hearing, adopt an emergency ordinance authorizing expenditures for a public emergency as defined and prescribed in RSA Chapter 107-C.

(E) Action on all ordinances and resolutions shall be governed by the following rules:

(1) Prior to action on any ordinance or resolution, the proponent of the ordinance or resolution may seek a motion to introduce the ordinance or resolution by title only and to waive a reading of the entire ordinance or resolution. If there is a second, and after discussion, the Presiding Officer shall call for the question and the Select Board shall vote whether to read the ordinance or resolution by title only. Lacking such a motion or should this motion fail, the ordinance or resolution shall be read in its entirety.

(2) The proponent shall then move the ordinance be read for the first time. If there is a second, and after discussion, the presiding officer shall call the question and the Board shall vote on the first reading of the ordinance or resolution. An affirmative vote of the Board shall constitute the first reading.

(3) After an affirmative vote on the first reading, the Board may vote to further study the ordinance or vote to place the ordinance on the agenda of a subsequent meeting for final action.

(4) At such time as further action is in order, any Board member may move that the ordinance or resolution be read for a second time. This motion shall be in order whether or not the ordinance or resolution was amended during debate prior to the vote on the first reading or during committee deliberation.

(5) After an affirmative vote on the second reading, the ordinance or resolution shall be deemed effective and shall be signed by the Chair and dated with the date of the final Board action.

Rule 29. Public Complaints and Suggestions

When citizen complaints or suggestions are brought before the Select Board, other than for items already on an agenda, the Presiding Officer shall first determine whether the issue is legislative or administrative in nature and then:

(A) If legislative, and a complaint about the letter or intent of legislative acts or suggestions for changes to such acts, and if the Select Board finds such complaint suggests a change to an ordinance or resolution of the Town, the Select Board may refer the matter to a committee, Administration or the Select Board as a whole for study and recommendation.

(B) If administrative, and a complaint regarding administrative staff performance, administrative execution, or interpretation of legislative policy, or administrative policy within the authority of the Town Administrator, the Chair should then refer the complaint directly to the Town Administrator for his/her review if said complaint has not been so reviewed. The Select Board may direct that the Town Administrator brief or report to the Select Board when his/her response is made.

APPENDIX A

POLICY: ETHICAL CONDUCT

The ethical Town official and employee accept the responsibility that his or her mission is that of servant and steward to the public.

Accordingly, it shall be the policy of the Town of Stratham that public officials shall:

- Properly administer the affairs of Town government
- Promote decisions that only benefit the public interest.
- Actively promote public confidence in government.
- Keep safe all funds and other properties of the Town.
- Conduct and perform the duties of the office diligently and promptly dispose of the business of the Town.
- Maintain a positive image to pass constant public scrutiny.
- Evaluate all decisions so that the best service or product is obtained at a minimal cost without sacrificing quality and fiscal responsibility.
- Inject the prestige of the office into everyday dealings with the public employees and associates.
- Maintain a respectful attitude toward employees, other public officials, colleagues and associates.
- Effectively and efficiently work with governmental agencies, political subdivisions and other organizations in order to further the interest of the Town.
- Faithfully comply with all laws and regulations applicable to the Town and impartially apply them to everyone.

Officials shall not:

- Engage in outside interests that are not compatible with the impartial and objective performance of his or her duties.
- Improperly influence or attempt to influence other officials to act in his or her own benefit.
- Accept anything of value from any source that is offered to influence his or her action as a public official.

APPENDIX B

Optional Rules of Order: None as of 05/21/2018

FAQ: Employer Contribution Rates for FY 22-23

August 2020

The fiscal year (FY) 2022-23 rates for the State of New Hampshire and for political subdivision employers are expected to be certified by the New Hampshire Retirement System (NHRS) Board of Trustees on September 8, 2020.

Here are answers to some common questions that participating employers may have concerning those rates.

[Click here](#) for a printable PDF version of this FAQ.

How are employer contribution rates determined?

Employer contribution rates are developed as part of a biennial actuarial valuation, which is required by statute. The NH Constitution (Part, I, Article 36-a) requires that the rates be based on “sound actuarial valuation and practice” as required to maintain the retirement system trust fund at the level needed to meet its future obligations.

GRS, the retirement system’s consulting actuary, determines the cost of future benefits, the unfunded actuarial accrued liability (UAAL), and employer contribution rates based on assumptions about many future events, such as the age when members will retire, their rate of salary growth, how long they will live after retirement, and how much the plan’s investments will earn. These assumptions are based on detailed statistical models and adhere to national Actuarial Standards of Practice. However, they are not facts; no one can predict future events. When the actual experience doesn’t match the assumptions, there can be an actuarial gain or loss. Put simply, gains reduce employer contribution rates, losses increase employer contribution rates.

When are employer contribution rates set?

Employer contribution rates are set every two years pursuant to RSA 100-A:16, III.

The contribution rates for FY 2022 and 2023 are based on the [actuarial valuation as of June 30, 2019](#). The draft rates shown below are the rates the Board will vote to certify in September.

In the aggregate, employer contributions are increasing for all four member groups from the FY 20-21 rates.

DRAFT FY 22-23 EMPLOYER CONTRIBUTION RATES

	Pension	Medical Subsidy	Total
Employee-State	13.75%	0.78%	14.53%
Employee-Political Sub	13.75%	0.31%	14.06%
Teacher	19.48%	1.54%	21.02%
Police	30.67%	3.21%	33.88%
Fire	29.78%	3.21%	32.99%

Why are employer contribution rates increasing in FY 22-23?

The rate increase is largely the result of recommended changes to the actuarial assumptions used to value the pension plan that were adopted by the Board of Trustees in June. The most significant drivers of the rate increase, in order, were: 1) the reduction of the assumed rate of investment return from 7.25% to 6.75%; 2) the adoption of updated post-retirement mortality assumptions; and 3) a reduction in the payroll growth factor.

For additional details on the experience study, see: [“FAQ: 2019 Actuarial Experience Study”](#)

Of all the assumptions used to estimate the cost of a public pension plan, none has a larger effect on employer contribution rates than the investment return assumption. This is because, over time, earnings from investments account for a majority of the retirement system’s funding.

In reviewing the assumed rate of return over a period of months, NHRS Trustees heard capital market presentations from several independent, expert sources, including NEPC, the retirement system’s investment consultant. GRS, in its role as consulting actuary, advised the Board that an assumed rate of return within the range of 6.25% to 7.0% would be actuarially reasonable, but recommended adopting a rate of no more than 6.75%.

The 6.75% rate represents what NHRS Trustees believe the plan can realistically earn from its investments on an annual basis, when averaged over the long-term. In any given year, investment returns are likely to be higher or lower than the long-term assumed rate, depending on current economic and market conditions.

The employer contribution rate for Group I Teachers was additionally impacted by the adoption of a payroll growth assumption lower than other member groups.

Why is the payroll growth assumption different for the Teacher group?

This was a decision driven by the demographic experience of teachers. Since 2016, the teacher payroll growth assumption has been set lower than the other three member groups (Employee, Police, and Fire) to compensate for an anticipated annual decrease in the number of active teachers due to an ongoing decline in New Hampshire’s school-age population. From 2009 to 2019, the number of active teachers has declined from 18,709 to 17,730. The most recent state population projections from the New Hampshire Office of Strategic Initiatives show a declining school age population through at least 2025.

How does the NHRS 6.75% assumed rate of return compare to other state pension plans?

The National Association of State Retirement Administrators (NASRA) regularly analyzes data from more than 100 of the largest public pension plans in the country. Out of 127 public pension plans surveyed in February 2016, 114 have reduced their assumed rate of return since then.

When NHRS reduced its assumed rate of return from 7.75% from 7.25% in 2016, the average among all plans was 7.62%; the average rate, as of February 2020, was 7.22%, and more plans have reduced their assumed rate of return since then.

How does the change in rates from FY 20-21 to FY 22-23 compare to previous cycles?

The aggregate employer contribution rate increased by 6.3% over the six-year period beginning with FY 2016, which is slightly below the rate of inflation. The aggregate 20% increase from FY 20-21 to FY 22-23, while significant, is less than the 23% increase in FY 14-15 over the prior biennium.

How do NHRS employer contribution costs compare to other states?

In FY 19, the most recent year national data is available from the Public Plan Database, NHRS employer pension contributions were below the national average of more than 200 state pension plans as a percentage of payroll (15.4% to 18.2%).

In FY 17, the most recent year national data was compiled by NASRA, NHRS employer pension contributions were also below the national average as a percentage of state and local government direct general spending (3.98% to 4.70%).

Does the NHRS Board of Trustees have any leeway when certifying employer rates?

There is very limited discretion in setting the employer rates. The state Constitution and state law require that the NHRS Board of Trustees certify actuarially sound employer contribution rates necessary to keep the retirement system on track to meet its long-term obligations and that employers pay those rates in full.

The relevant section of Part I, Article 36-a of the Constitution reads, in part:

“The employer contributions certified as payable to the New Hampshire retirement system ... as shall be determined by sound actuarial valuation and practice ... shall be appropriated each fiscal year to the same extent as is certified.”

In addition to the constitutional mandate, Trustees are also bound by their fiduciary duty to the pension plan, which is the highest standard of conduct under the law. When NHRS fiduciaries make decisions about benefit administration, investments, or any other subject that falls within their statutory responsibilities, they are required to act solely in the best interest of the collective membership, not on behalf of individual members or member groups, employers, lawmakers, taxpayers, or anyone else who might have an interest in the outcome of the decision.

Even if permitted by law, reducing contribution rates without consideration of the impact on NHRS’ long-term ability to fund benefits would run counter to the Board’s fiduciary duty, and would result in creating additional unfunded liabilities to the detriment of the plan and its participants.

Why are there different rates for each of the member classifications?

Employer contribution rates for Employee, Teacher, Police, and Fire members are determined separately based on benefit structure, demographics, and other information unique to each member classification, so rates vary among the different groups. Group II rates are higher because the retirement age for Police and Fire members is lower and the Group II benefit formula produces a larger pension than the Group I benefit formula. (Note: Group II members are not eligible for Social Security benefits for their NHRS-covered employment; neither they nor their employers pay Social Security taxes.)

In addition to the pension costs, the employer rates also contain a Medical Subsidy rate that ranges from 0.31% to 3.21% of covered payroll, depending on the member classification. (See below for more information on the Medical Subsidy.)

How does the unfunded pension liability affect employer contribution rates?

There are three components to employer contribution rates: the normal cost, unfunded actuarial accrued liability (UAAL), and the medical subsidy.

The normal cost reflects the estimated actuarial cost of pension benefits as those benefits are earned each year by members. This cost is shared by the employer and the member, with members paying the majority of the normal cost. The normal cost will continue to decline over time due to 2011 legislative changes that reduced benefit provisions for new members hired on or after July 1, 2011, as well as any member hired prior to that date but not vested prior to January 1, 2012.

The UAAL is the estimated value of NHRS benefits that have been earned in the past, but have not yet been funded. The current unfunded liability is borne solely by the employers. Overall, the unfunded liability accounts for more than 70% of the total employer contribution rate.

There have been several contributing factors to the current NHRS unfunded liability:

- A flawed statutory funding methodology in effect from 1991-2007 that led to the long-term under-calculation of employer contributions;
- The diversion of approximately \$900 million in investment earnings from the pension trust into a “Special Account” over roughly the same period. (The Special Account, which was created by legislation in the 1980s and repealed in 2012, funded other post-retirement benefits such as cost-of-living adjustments);
- Global economic dips (the 2001-02 dot-com bubble and the Great Financial Crisis of 2008-09) negatively impacting investment performance;
- Adoption of more conservative actuarial assumptions in 2011, 2016, and 2020 by the NHRS Board of Trustees, based on the results of actuarial experience studies required by statute and the Board’s Actuarial Funding Policy. (Note: While the changes to the assumptions for investment returns, payroll growth and mortality increased the UAAL, they also financially strengthened the retirement system trust fund by generating additional revenue through increases to employer contributions.)

Despite the unfunded liability, retirement benefits for NHRS members are secure. Changes made in recent years have put NHRS on a solid path to financial health, however, the unfunded liability took many years to create, and it will take many years to eliminate it.

In 2007, the Legislature created a closed, 30-year amortization period to pay off the UAAL, which commenced on July 1, 2009. In 2018, legislation was enacted to recognize actuarial gains and losses incurred after July 1, 2017, over closed periods of no more than 20 years. This is referred to as “layered amortization.” The approximate \$5 billion UAAL as of June 30, 2017 – referred to as the “initial UAAL” – will continue to be paid down through 2039.

Future actuarial gains and losses will be layered and spread more evenly over time, avoiding some of the potential employer contribution rate volatility as 2039 approaches and also providing a basis for managing gains and losses incurred beyond 2039.

Because it was only enacted recently, layered amortization has only a minor impact on the FY 22-23 contribution rates, although it did, in fact, reduce the impact of the assumption changes slightly.

What impact did the recent retiree cost-of-living adjustment (COLA) have on the rates?

The COLA enacted by the Legislature in 2019 – which phases in a permanent increase to the monthly benefit for eligible retirees and beneficiaries – increased the employer contribution rates within a range of 0.11% to 0.34% as a percent of payroll, depending on the member classification, and decreased the funded ratio of the pension plan by 0.2%.

Why is the Medical Subsidy included in the employer rate?

The Medical Subsidy is a statutorily-required payment made by NHRS directly to an eligible retiree’s former employer or the employer’s health insurance administrator that goes toward the cost of health insurance for a qualified retired member, spouse, or dependent child(ren). The Medical Subsidy is not a health insurance plan.

Medical Subsidy benefits are funded from a 401(h) trust for political subdivision Employees, state Employees, Teachers, and Police and Fire members. Because these benefits are pay-as-you-go, employers are required by statute to pay the minimum rate necessary to maintain the benefits provided for each of the above groups.

Because this benefit is a closed plan except with respect to certain Group II members, the Medical Subsidy rates are expected to decrease in future years. Medical Subsidy rates will decline in FY 22-23 for state Employees, Teachers, Police, and Fire.

Does the State of New Hampshire pay any portion of the political subdivision employer rates?

No. In 2012, the New Hampshire Supreme Court upheld statutory changes to RSA 100-A:16 enacted in 2009 that reduced the percentage the State of New Hampshire paid toward employer retirement contributions for Teacher, Police, and Fire members employed by political subdivisions. Those contributions were subsequently eliminated entirely with the enactment of House Bill 2 in 2011.

The Supreme Court decision did not change the total amount of employer contributions that must be paid to the retirement system – it only upheld the State’s authority to reduce, and eventually eliminate, its contribution toward employer retirement contributions for Teacher, Police, and Fire members employed by political subdivisions. The net result of the decision was to shift pension costs from the State to political subdivisions.

When RSA 100-A:16 was enacted in 1967, the State was responsible for 40% of the employer contribution for Teacher members employed by political subdivisions. The statute was amended in 1977, requiring the State to pay 35% of the employer contributions for Teacher, Police, and Fire members employed by political subdivisions.

RSA 100-A:16 was amended in 2009 to reduce the State’s share to 30% in FY 2010 and 25% in FY 2011. The 2009 amendment also restored the State contribution to 35% in FY 2012. However, the statute was amended again in 2011 to eliminate the State’s percentage share of employer contributions altogether. The 2011 amendment also included a one-time transitional appropriation of \$3.5 million in an effort to offset political subdivision employer contributions in FY 2012.

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Employer Contribution Rates

Employer contribution rates are set every two years. The rates are based on a biennial actuarial valuation, which is a model of expected liabilities based on reasonable actuarial assumptions, including the rates of investment return and payroll growth, eligibility for the various classes of benefits, and the projected life expectancies of members and retirees. State law ([RSA 100-A:16, III](#)) requires that NHRS trustees use this valuation to set employer contribution rates at a level necessary to keep the retirement system on track to meet its long-term obligations; the New Hampshire Constitution (Part I, Article 36-a) requires employers to pay those rates in full. For more information on how rates are determined, see [FAQ: Employer Contribution Rates](#).

Employer Rates for Fiscal Years 2020 and 2021

Municipal Employer Contribution Rates for July 1, 2019 - June 30, 2021

The rates below apply to counties, cities and towns, school districts and all other participating political subdivisions except the State of New Hampshire.

	Pension Percentage	Medical Subsidy Percentage	Total Employer Percentage
GROUP I			
Employees	10.88%	0.29%	11.17%
Teachers	15.99%	1.81%	17.80%
GROUP II			
Police	24.77%	3.66%	28.43%
Fire	26.43%	3.66%	30.09%

State of NH Employer Contribution Rates for July 1, 2019 - June 30, 2021

The rates below apply to state agencies and other component units of state government.

	Pension Percentage	Medical Subsidy Percentage	Total Employer Percentage
GROUP I			
Employees	10.88%	1.05%	11.93%
GROUP II			
Police	24.77%	3.66%	28.43%
Fire	26.43%	3.66%	30.09%

Downloads

- [Municipal Employer Contribution Rates for July 1, 2019 - June 30, 2021](#)
- [State of NH Employer Contribution Rates for July 1, 2019 - June 30, 2021](#)
- [Historical Employer Contribution Rates Since 1971](#)

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TOWN OF STRATHAM
APPLICATION FOR APPOINTMENT

<p>_____ BOARD OF ADJUSTMENT</p> <p>_____ BUDGET ADVISORY COMMITTEE</p> <p>_____ CONSERVATION COMMISSION</p> <p>_____ ENERGY COMMISSION</p> <p>_____ HERITAGE COMMISSION</p> <p>_____ PLANNING BOARD</p>	<p>_____ PUBLIC WORKS COMMISSION</p> <p>✓ _____ RECREATION COMMISSION</p> <p>_____ RT 108 CORRIDOR STUDY COMMITTEE</p> <p>_____ STRATHAM FAIR COMMITTEE</p> <p>_____ TECHNICAL REVIEW COMMITTEE</p> <p>_____ } OTHER</p>
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APPLICANT'S NAME Tracy-Lynn Abbott PHONE # 944-6222

ADDRESS 33 Squamscott Rd. Stratham NH 03885

EMAIL tnabbott@comcast.net

REGISTERED VOTER OF STRATHAM? YES ☒ NO _____

NUMBER OF YEARS AS A RESIDENT 23

I WOULD LIKE TO BE CONSIDERED BY THE BOARD OF SELECTMEN FOR APPOINTMENT TO A TOWN BOARD/COMMISSION/COMMITTEE INDICATED ABOVE BECAUSE:

I would like to be re-appointed
for another 3-year term.

I FEEL THE FOLLOWING EXPERIENCE AND BACKGROUND QUALIFIES ME FOR THIS POSITION:

10+ years on the Recreation
Commission !!

SIGNATURE OF APPLICANT Tracy-Lynn Abbott DATE 8/17/2020

TOWN OF STRATHAM
APPLICATION FOR APPOINTMENT

<input type="checkbox"/> BOARD OF ADJUSTMENT	<input type="checkbox"/> PUBLIC WORKS COMMISSION
<input type="checkbox"/> BUDGET ADVISORY COMMITTEE	<input type="checkbox"/> RECREATION COMMISSION
<input type="checkbox"/> CONSERVATION COMMISSION	<input type="checkbox"/> RT 108 CORRIDOR STUDY COMMITTEE
<input type="checkbox"/> ENERGY COMMISSION	<input type="checkbox"/> STRATHAM FAIR COMMITTEE
<input type="checkbox"/> HERITAGE COMMISSION	<input type="checkbox"/> TECHNICAL REVIEW COMMITTEE
<input checked="" type="checkbox"/> PLANNING BOARD	<input type="checkbox"/> OTHER

APPLICANT'S NAME Joe Anderson PHONE # Home 603-580-2280
cell 978-360-0829

ADDRESS 13 Kirkwall Dr

EMAIL joea57@gmail.com

REGISTERED VOTER OF STRATHAM? YES ☒ NO ☐

NUMBER OF YEARS AS A RESIDENT new resident

I WOULD LIKE TO BE CONSIDERED BY THE SELECT BOARD FOR APPOINTMENT TO A TOWN BOARD/COMMISSION/COMMITTEE INDICATED ABOVE BECAUSE:

I have two decades of municipal government experience. I am open to serving on any board or committee where you need help.

I FEEL THE FOLLOWING EXPERIENCE AND BACKGROUND QUALIFIES ME FOR THIS POSITION:

Town of West Newbury, MA Select Board (6 years), Finance Committee (9 years), Investment Policy Committee, Capital Improvements Committee, Zoning Board of Appeals, Town Manager Search Committee and Finance Director Search Com.

SIGNATURE OF APPLICANT

Joe Anderson

DATE 5-19-20

TOWN OF STRATHAM
APPLICATION FOR APPOINTMENT

<input type="checkbox"/> BOARD OF ADJUSTMENT	<input type="checkbox"/> PUBLIC WORKS COMMISSION
<input type="checkbox"/> BUDGET ADVISORY COMMITTEE	<input type="checkbox"/> RECREATION COMMISSION
<input checked="" type="checkbox"/> CONSERVATION COMMISSION	<input type="checkbox"/> RT 108 CORRIDOR STUDY COMMITTEE
<input type="checkbox"/> ENERGY COMMISSION	<input type="checkbox"/> STRATHAM FAIR COMMITTEE
<input type="checkbox"/> HERITAGE COMMISSION	<input type="checkbox"/> TECHNICAL REVIEW COMMITTEE
<input type="checkbox"/> PLANNING BOARD	<input type="checkbox"/> OTHER

APPLICANT'S NAME K Kyle Saltonstall PHONE # (503) 995-6669

ADDRESS 61 Stratham Heights Road

EMAIL Kyle.Saltonstall@gmail.com

REGISTERED VOTER OF STRATHAM? YES ☒ NO ☐

NUMBER OF YEARS AS A RESIDENT 2+

I WOULD LIKE TO BE CONSIDERED BY THE BOARD OF SELECTMEN FOR APPOINTMENT TO A TOWN BOARD/COMMISSION/COMMITTEE INDICATED ABOVE

BECAUSE: I believe it is my duty to act as a current steward of my land and of my community. I am driven to volunteer so that we may collectively conserve our most valuable resources.

I FEEL THE FOLLOWING EXPERIENCE AND BACKGROUND QUALIFIES ME FOR THIS POSITION: I learned of duty + responsibility in the US Army. I'm currently studying Sustainable Agriculture ~~and~~ at UNH where I'm learning about conservation of land and other natural resources. I'm also a new farmer, learning about the way our local environment lives + breathes.

SIGNATURE OF APPLICANT



DATE 20 AUG 2020