

**BOARD OF SELECTMEN**

**DRAFT MINUTES  
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**MARCH 19, 2012**

**1. Call Meeting to Order**

Vice Chairman Matt Quandt convened The Board at 7:00 p.m. in The Nowak Room of the Town Office Building. Other members of The Board present were Selectman Frank Ferraro, Selectwoman Julie Gilman, Selectman Don Clement and Town Manager, Russ Dean.

**2. Swearing in of Town Officials**

The new Town Clerk, Andie Kohler, swore in the other elected officials to new offices in the Town of Exeter. The following officials were sworn in:

Nancy Batchelder, Trustee of the Trust Fund, Ruthanne Rogers, Trustee of Swasey Parkway, Daniel Chartrand, Board of Selectman, Harry B. Thayer III, Trustee of Robinson Fund, Deborah Kane, Trustee of the Exeter Library, Gwen Kenney, Trustee of the Exeter Library, and Don Woodward, Exeter Budget Recommendations Committee.

**3. Board of Selectman Reorganization**

**Mr. Clement nominates Selectman Matt Quandt to the position of Chairman of The Board. Ms. Gilman Seconds. Vote: Unanimous.**

**Ms. Gilman nominates Selectman Don Clement to the position of Vice Chairman of The Board. Mr. Chartrand Seconds. Vote: Unanimous.**

**Mr. Ferraro nominates Selectman Daniel Chartrand to the position of Clerk of The Board. Mr. Clement Seconds. Vote: Unanimous**

**4. Public Comment**

Andrew Stollar, of Court Street comes forward to express his gratitude for a review of his abatement request on March 12. Mr. Stollar also wishes to express his gratitude specifically to the employees of the Town of Exeter and the Board of Selectman and the Exeter Police Department, Fire Department and EMT for their services.

Liz Faria, of Brentwood, an elected official to the Exeter School Board comes forward to express her concern regarding the Pine Road lawsuit. She appeals to the Board to not reinstate the posting of the Pine Road at the end of the road. Ms. Faria expresses her concern for the safety of the local students along with others. She asks the Board to reconsider the reposting of the road on the Exeter end of Pine Road. She suggests deeding that piece of the road to Brentwood.

**5. Minutes & Proclamations**

**a. Regular Meeting: March 5, 2012**

**Ms. Gilman moves to approve the March 5, 2012 minutes as presented. Mr. Clement Seconds. Vote: Unanimous. Mr. Chartrand Abstains.**

**b. Regular Meeting: March 12, 2012**

The March 12, 2012 minutes are not available at this time.

**6. Appointments – Conservation Commission**

**Mr. Clement moves to appoint Allison Eberhart to the Conservation Commission with a term to expire on April 30, 2013. Ms. Gilman Seconds. Vote: Unanimous. Mr. Ferraro Abstains.**

**7. Department Reports - None**

**8. Discussion / Action Items**

**a. New Business**

**i. Review Warrant Results of 2012**

Mr. Dean summarizes the results of the elections held last week. He indicates most of the warrant articles presented have passed. Mr. Dean wishes to express his gratitude for all of the efforts of the elected officials, employees and volunteers in the Town of Exeter for their efforts to get the projects approved. Ms. Gilman advises the Board that the Front Street historical warrant that passed is eligible for grant funding now that it has been passed. Mr. Clement wishes to express his gratitude to the voters of the Town for having the confidence in the various departments to move forward with the proposed projects. Mr. Chartrand wishes to express his gratitude to Mr. Eastman for backing various articles and for caring for the Town. He wishes to thank the Board of Selectmen and the other Town employees. He wishes to thank the voters for embracing the future.

**ii. Sign 2012 MS2 Report of Appropriations**

Mr. Dean summarizes the annual certificate of appropriations. By virtue of voting to sign, it will go to the DRA and this will make the voting results of the Town official and on record. Mr. Ferraro expresses concern regarding the total amount of the general fund operating budget. Mr. Dean advises the Board that this total is a combined total and briefly explains how the total was determined by going over each page of the MS2 and identifying where various special articles were included in the amounts shown.

**Mr. Clement moves to approve and sign the MS2 as presented. Ms. Gilman seconds. Vote: Unanimous**

**iii. Review BOS Committee Assignments**

Chairman Quandt offers the Board a week to review the various committees available for an opportunity to volunteer for the committees that they are interested in. Mr. Clement agrees that this is a good idea. He also expresses his desire to discontinue the process of having an alternate Selectman's Representative for committees. Mr. Clement feels that having more than one Selectman Representative appointed to a Committee can sometimes prove difficult in the effort of moving forward with their goals. He resolves that the need for another Selectman to sit in does occasionally arise and recommends that this can be handled easily by simply asking another Selectman to attend at their discretion. Mr. Clement also expresses his opinion that the Board should discontinue the direct involvement of the Selectman in the Capital Improvements Committee. He feels it's appropriate to give those involved a list of the Board's goals and allow the departments involved in the capital improvement plan to formulate a proactive approach. Mr. Ferraro feels that discontinuing direct involvement of the Selectmen in the Capital Improvements Committee is a wise idea. The committee wasn't active last year so it doesn't make sense to keep it. He does not agree with Mr. Clement's opinion regarding the alternate Selectman appointments. Mr. Ferraro expresses his concern that eliminating an alternate will not necessarily stop the situation of having more than one Selectman at a single meeting. He believes having an alternate that regularly attends meetings will make it easier when the appointed Selectman cannot be present. The alternate appointee will have some idea of what to expect. Mr. Ferraro points out that the Zoning Ordinance Review Committee (ZORC) is not listed on the Committee selection list. Mr. Clement believes ZORC to be a Sub-Committee of the Planning Board. Mr. Chartrand reminds the Board that there has been talk in the Budget Recommendations Committee regarding reforming the way the voters vote on not for profits. Mr. Ferraro advises the Board that the Budget Recommendations Committee and Board of Selectmen have an upcoming meeting regarding this matter in April.

**iv. Plan 2012 Goals**

Mr. Dean summarizes the timeline of goals from 2011 as a basis to begin determining the goals for 2012. He has asked all of the departments to reevaluate the goals they used last year. He feels reviewing, editing and revising past goals that are still in the making can be helpful to determining the needs of a department in this fiscal year. He suggests that for 2012, the Board of Selectmen goals be reviewed simultaneously with the various department goals so they can be adjusted as needed to remain aligned. He recognizes that many of the projects that are currently active or are scheduled to become active in 2012 can make the goal list seem more aggressive as the Town has a very full plate at this time. Mr. Dean suggests that an opportunity to meet and redevelop the goals of 2012 is a good idea. Chairman Quandt feels that the process used in 2011, which is what Mr. Dean is suggesting, worked out well and he prefers to keep the process the same for this fiscal year. Mr. Clement agrees that the process was productive. He recalls that the meeting was open to the public last year in April and was held at the Chamber of Commerce. He feels that the off site meeting worked to everyone's benefit. Ms. Gilman expresses her desire to also simultaneously review the Master Plan of the Town of Exeter. She suggests that the other members of the Board of Selectman familiarize themselves with the Master Plan, as it could be helpful to revising the goals of the current year. Mr. Clement agrees that reviewing the Master Plan can be helpful. Mr. Ferraro notes that the Departments and Town Staff

did a good job revising their goals in 2011. He suggests that for this fiscal year, the Department plans include more measurable goals. He feels that with measurable goals the various departments can develop a type of planning guide. Mr. Clement inquires if there is a date for the meeting in mind yet. Chairman Quandt suggests Saturday, April 21, 2012. There is a short discussion about the availability of the Board members and various possible locations to hold the meeting. Chairman Quandt and Mr. Dean agree to meet to brainstorm a list of dates and sites to suggest for the Board.

Andrew Stollar, of Court Street returns to the microphone to express his concern regarding the sound in the Nowak Room. He requests that the members of the Board speak more loudly, as he is having trouble hearing them.

**b. Old Business**

**i. Tattoo Ordinance Third Reading**

Chairman Quandt presents the Tattoo Ordinance for a third reading. He offers a moment for comments from The Board or the Public.

**Mr. Clement moves to amend Chapter 12 of the Public Health Ordinances to add Chapter 12-06 – Health Ordinance for Tattoo and Body Modification. Ms. Gilman Seconds. Vote: Unanimous. Mr. Chartrand Abstains.**

Mr. Ferraro presents Old Business that is not on the agenda. He inquires with Mr. Dean for the financial review requests he made several weeks ago. Mr. Ferraro requested a fund balance for Water Fund, Sewer Fund and the General Fund. At the time of his initial request, Mr. Dean was able to provide rough estimates for each fund. Mr. Ferraro expresses his frustration that he had made the initial request and had followed up several times since then. He believes it has been six weeks since the initial request and is concerned that the request has gone unanswered. He feels this type of data is critical to the Selectman's performance of their duties. Mr. Ferraro feels that the amount of time that has passed since the initial request is unacceptable. He reminds The Board and the public that these figures are available in the Finance Department to citizens upon demand. He feels these figures should also be made available to The Board members upon demand. Mr. Dean asks Mr. Ferraro to clarify what figures he is specifically looking for so he can work to retain them for him. Ms. Gilman expresses her concern that this matter seems to be an issue for non-public session. She does not feel this discussion needs to be had in a public forum, as the tone of the discussion has become accusatory. Chairman Quandt feels it's unnecessary to prohibit any Board member from communicating with the Town Manager. He agrees this discussion should continue in a non-public session. Mr. Ferraro agrees to go into non-public session at the end of regular business to discuss this matter further.

**9. Regular Business**

**a. Bid Openings - None**

**b. A/P and Payroll Manifests**

**Mr. Chartrand moves to approve an accounts payable warrant for checks dated 3/16/2012 in the amount of \$354,472.01. Mr. Clement Seconds. Vote: Unanimous**

**Mr. Chartrand moves to approve a weekly payroll warrant for checks dated 3/14/2012 in the amount of \$158,513.19. Mr. Clement Seconds. Vote: Unanimous**

**c. Budget Updates - None**

**d. Tax Abatements and Exemptions**

**Mr. Chartrand moves to approve an Elderly Exemption for map 32, lot 12/22 in the amount of \$152,251.00. Mr. Clement Seconds. Vote: Unanimous**

**Mr. Chartrand moves to approve an Elderly Exemption for map 64, lot 58 in the amount of \$236,251.00. Mr. Clement Seconds. Vote: Unanimous**

**Mr. Chartrand moves to approve an Elderly Exemption for map 104, lot 79/16 in the amount of \$152,251.00. Mr. Clement Seconds. Vote: Unanimous**

**Mr. Chartrand moves to approve a Disability Exemption for map 87, lot 14/4B. Mr. Clement Seconds. Vote: Unanimous**

**Mr. Chartrand moves to approve an abatement for map 74, lot 119 in the amount of \$905.02. Ms. Gilman Seconds. Vote: Unanimous**

**Mr. Chartrand moves to approve an abatement for map 104, lot 36 in the amount of \$1,362.59. Ms. Gilman Seconds. Vote: Unanimous**

**Mr. Chartrand moves to approve an abatement for map 63, lot 1 in the amount of \$4,211.65. Ms. Gilman Seconds. Vote: Unanimous**

**Mr. Chartrand moves to approve an abatement for map 64, lot 82 in the amount of \$738.18. Ms. Gilman Seconds. Vote: Unanimous**

**Mr. Chartrand moves to deny an abatement for map 52, lot 107. Ms. Gilman Seconds. Vote: Unanimous**

**Mr. Chartrand moves to deny an abatement for map 90, lot 22. Ms. Gilman Seconds. Vote: Unanimous**

**e. Water / Sewer Abatements - None**

**f. Permits**

John Hauschildt comes forward to summarize his permit request to use the Town Hall for a monthly photo group meeting. Mr. Hauschildt is a photographer and is a member of the Seacoast Artists Association. The group currently has 50-60 members that attend the monthly meetings on a regular basis. The group has a current standing permit with the Town of Exeter for the top floor of the Town Hall. The size of the group has outgrown the space at the current location. The group meets every third Thursday of the month. The permit is a request to use the Town Hall Main Floor for their monthly gatherings. Mr. Hauschildt is also asking that the Town of Exeter waive the \$75.00 fee, as the Association is a not for profit and there are no membership dues. Mr. Clement is concerned that there may be some conflict with the third Thursday of the month. In years past, the Recreation Department has reserved the Town Hall Main Floor as the severe weather location for the Summer Concert Series. The Concerts are held on Thursday nights. He is unsure if this reserved location will be continuing for the upcoming Summer Series. Mr. Hauschildt advises The Board that the Association generally does not meet in July or August due to heat constraints. The third floor of the Town Hall can get exceptionally hot in the mid-summer months. Mr. Ferraro expresses his concern that the permit was submitted open ended with a begin date of April 19, 2012. Chairman Quandt advises The Board that the current permit for the Association does not have an effective end date. Mr. Ferraro suggests that if the permit is approved, it could be extended or renewed annually. Mr. Ferraro also raises the concern of liability insurance. Mr. Hauschildt expresses to The Board that the Association does have liability insurance coverage and it is on file with the Town Office.

**Ms. Gilman moves to approve the permit beginning April 19, 2012 with an expiration of April 1, 2013. Mr. Chartrand Seconds.**

**Ms. Gilman amends her motion to include a waiver of the \$75.00 fee for usage of the Town Hall. Mr. Chartrand amends his Second. Vote: Unanimous**

**Mr. Clement moves to approve and sign a letter to the NH Division Motor Vehicles. Mr. Chartrand Seconds. Vote: Unanimous**

**g. Town Manager's Report**

Mr. Dean advises The Board and the public that the current Pawnbroker Ordinance is not currently on the agenda, however it is still available for review on the Town website. Mr. Dean suspects the Ordinance will come back to The Board of Selectmen at some point the future. The Town Office has received several communications relating to the

ordinance and it is currently under review. There is still more research to complete, including reviewing similar ordinances from other Towns. A few samples of ordinances adopted by other towns have been gathered.

Mr. Dean advises The Board that the letter requesting the \$72,000 for the Norris Brook Culvert project from the Capital Reserve Fund has been sent to the Trustees of Trust Funds for release. Mr. Dean reports that he attended a Chamber of Commerce Board of Directors meeting last week. He indicated there is a lot of interest in the combined Exeter / Stratham Water and Sewer Study Group discussions. Mr. Dean advises the Board that he has communicated with Donna Buxton of Buxton Oil via letter. Ms. Buxton was hoping for a status update relating to her request for an exemption in the case of an emergency to use a side street for deliveries. Buxton Oil maintains a seventy-foot water truck. Their request was to allow that truck to utilize Lincoln Street or Winter Street in the event of an emergency. Mr. Dean indicated that her definition of emergency was unclear when conversations ensued with Chief Kane. A plausible solution was reached and Ms. Buxton is clear that she can obtain emergency exemptions on a case by case basis from the Exeter Police Department by calling the Dispatch Center when such an event arises. Mr. Clement expresses his concern that offering Ms. Buxton an exemption could lead to other freighters also seeking exemptions. He inquires if any other commercial drivers are currently asking for or receiving any exemption. Mr. Dean reports that there are none.

#### **h. Legislative Update**

Chairman Quandt advises The Board that the NH Representatives are meeting again on Wednesday. The current goal is to finish the proposed House Bills and then move on to the Senate Bills.

#### **i. Selectman's Committee Report**

Ms. Gilman reports a Heritage Commission meeting in which a grant from the Division of Historical Resources was discussed. The grant is similar to one currently in progress in Sommersworth. She reports this grant is one of four that the Heritage Commission is currently pursuing. The grant will help with the cost of the Historical Society roof.

Mr. Clement reports that 27% of the Town voters turned out on Election Day and the number is improving every year. He reports a Council of Aging meeting last week in which the newsletter distribution was brought up again. They also discussed utilizing channel 98 for programs seniors may enjoy. Mr. Clement reminds The Board that Wednesday is the ride along with the Meals on Wheels if any of the Selectman have interest. He recommends they arrive at the Senior Center for 10:30 Wednesday morning. The ride along could take up to two hours. Mr. Clement also reports the Water and Sewer Advisory Committee met Wednesday night. The infrastructure of the Water and Sewer Department was discussed. Mr. Clement summarized the Thursday meeting of the Exeter / Stratham Water and Sewer Study Group. The group met in Stratham with the consultants who laid out what they have done so far. Essentially the meeting presentation wrapped itself around Stratham's plan in different phases for water and then sewer. The presentation was very detailed and the next phase will be a price from the consultants detailing the cost of each of the options available. That cost comparison is scheduled to happen in four weeks.

Chairman Quandt reports the Cable Committee was cancelled so the members could attend an open house for Channel 98. He reminds The Board that there will be another open house on Saturday the 24<sup>th</sup> at 10:00 a.m. He invites all members of the Board and the public to come and see the station. Mr. Quandt was unable to make it to the open house, but was able to see some pictures and feels that it was a great success.

#### **j. Correspondence**

A letter from the Highway Safety Agency to Chief Kane regarding a grant application for additional Route 101 DUI Enforcement Patrols. The grant will be scheduled for acceptance at a future meeting.

### **10. Review Board Calendar**

Mr. Clement reminds The Board that at the meeting Monday, March 26, 2012 at 7:00pm The Board will need to select their committee commitments. He also wishes to discuss time frames for goal setting meetings.

Mr. Ferraro asks Chairman Quandt to schedule some time on the agenda for the DPW to present the sweeper study and the RFP that is due at the end of the current quarter. He would also like to have a discussion regarding Jady Hill and the residents options for payment including terms and conditions of the payment schedule.

Chairman Quandt asks for an update on the website. Mr. Ferraro reports that he has completed his review of the proposal. The proposal needs to be reviewed by Mr. Dean and Mr. Swanson.

## **11. Non Public Session**

**Mr. Chartrand moves that The Board adjourn to a non-public session for a personnel matter.**

**Mr. Clement, Aye. Ms. Gilman, Aye. Mr. Ferraro, Aye. Chairman Quandt, Aye. Mr. Chartrand, Aye.**

Andrew Stollar of Court Street comes forward to express his disappointment in The Board's decision to go to non-public session. He feels Mr. Ferraro was done a disservice and it is a disservice to the community to push this conversation into a non-public session.

After emerging from non public session motion by Selectwoman Gilman to adjourn, seconded by Selectman Ferraro. Motion carried. The Board stood adjourned at 9:20 p.m.

Respectfully Submitted,

Jennifer Pond  
Recording Secretary