

1. Convene the meeting.

Vice Chairman Paul Binette convened the Board at 7:00PM on the above date with the following members present: Robert Eastman, Lionel Ingram, William Campbell and Town Manager George Olson. Also present: Finance Director Jack Sheehy.

2. Minutes of Board of Selectmen's meeting of December 30, 2002.

Mr. Eastman moved to accept the minutes as presented; second by Mr. Campbell. VOTE: Unanimous.

3. Recognition of Doug & Jan Dickey.

Mr. Binette noted this item would be held till later, as the Dickey's were at a program and had been delayed.

4. Action on warrant article supporting Police Collective Bargaining Agreement.

With the negotiations between the Town and the Exeter Police Association completed and a tentative agreement reached, Mr. Binette read the proposed warrant article in support of the agreement (copy attached). **Mr. Eastman moved to place the article regarding the Police Collective Bargaining Agreement on the Town Meeting warrant; second by Mr. Campbell. VOTE: Unanimous.**

5. Public Hearing on 2003 Bond Issues.

Mr. Binette opened the hearing for the Bond Issues at 7:05PM. Mr. Olson read the proposed articles regarding both the \$3 million article for the acquisition of easements or open space land, per RSA 36-A, and that of the \$1.7 million for the purpose of designing a new water treatment plant. (Copy of his memo attached). Mr. Binette asked for comments from the public.

Alan Bailey, Green Street, asked what controls would be in place regarding the spending of these funds. Don Clement, Chairman of the Conservation Commission, noted there are controls in place, per State Statutes, plus the plan is for the Board to appoint an Open Space Committee to present available land to the Board. If accepted by Board vote, the Committee will then work on the acquisition of the land, including appropriate appraisals, etc. They will then return to the Board, a public hearing will be held and they would then make a final decision on whether to purchase the land or not.

Mr. Bailey noted his concerns over the easements and purchasing of development rights and how that is impacted by RSA (41?). He noted the Conservation Commission has funds to acquire parcels and do so without Board approval. He wants all purchases to go before the Board, as the elected body. Mr. Clement noted the Commission has the authority to expend funds on land easements from their

Fund. This bond will not be controlled by the Commission, but will stay within the jurisdiction of the Board, though the Commission would make input and recommendations.

Mr. Bailey asked if a wording change could be made, by deleting “..and the Conservation Commission..” (following “and to authorize the Selectmen...” Mr. Binette noted the RSA may require it. Mr. Clement stated the language of the article was reviewed and given to us by the Town’s attorney and if corrections are to be made, it should be reviewed again. He stated that by including the wording of the Commission, it denotes the real purpose of the acquisition and the Conservation would manage the land, as they do with other parcels now.

Mr. Eastman asked if it should read “Open Space Committee” rather than “Conservation Commission”? Mr. Campbell noted the Open Space Committee would not manage the land. Mr. Clement stated the Open Space Committee would be a sub-committee of the Conservation Committee, reporting to the Board. The OSC has no legal stand within the RSA’s: the Conservation Commission does.

Mr. Bailey noted the Town is blessed to have the Conservation Commission but if we did not, the Board would handle these items. He requested the Board check the RSA’s regarding the wording, prior to the Deliberative Session. He also expressed concern that with the ‘going rate’ of land purchases now, based upon both recent purchases and what’s being offered (i.e. to the school), the \$3 million may not be enough.

Another concern: The flyer, received at every resident’s home from “Exeter: A Special Place”, had many interests spelled out however, he inquired from whom it comes, noting the Town’s bulk mail permit was used, and the urging of the passage of the bond issue at the March Town Meeting and was a Town Committee pushing a point of view on the residents. He asked if this was proper use of Town mailing. Mr. Clement noted ‘Exeter: A Special Place” Is a sub-committee of the Conservation Commission and was charged with acquiring information. No town funds were used, as it was raised privately by the sub-committee and through grant money.

Arthur Baillargeon, Tremont Street, asked if the article passes, does the Board have the final approval? Yes. Will there be public hearings prior to purchase? Yes.

Mr. Binette asked if there were any questions regarding the article for the Water Treatment Plant.

Mr. Baillargeon asked if the funds would be from the water and sewer funds. Yes, all expenses would be from the ratepayer’s fees. He asked if there was an estimated percentage of increase. The Board will be discussing that issue on the 27th.

The Public Hearing on the Bond Issues was closed at 7:26PM.

Prior to the start of the Public Hearing on the budget and warrant articles, Mr. Binette asked the Board whether they wished to reconsider the decision to decrease the snow budget, based upon expenses to date. Mr. Olson reported we are more than half way expended through the 2003 funds, just after two weeks. Mr. Noyes estimated an additional \$25-30,000 in outstanding payments regarding snow removal, etc., to private contractors, and the removal is still going on. He felt the figure would be closer to 75% expended following this clean up. He noted we would still have November and December to be concerned over, as well as the next three months. Mr. Binette noted the options would be to place the \$15,000 back in the budget (the amount the line item was decreased by) or, with none of the Fund Balance being used toward off-setting warrant articles, wait till the account has been exhausted and authorizing spending from the Fund Balance to cover.

Mr. Ingram noted the \$15,000 that was cut would probably not make an impact and suggested seeing what happens and respond to the circumstances with one action rather than an action to add the \$15,000 and probably act to expend from the Fund Balance also. Mr. Campbell asked if the storm at Christmas was paid from 2002. Mr. Noyes noted it was, in part, for the contractors plowing and hauling snow, but the payroll for employees is part of 2003. Jack Sheehy noted the 2002 budget was based upon 52 weeks, whereas the 2003 budget is based upon 53. The payroll for January 1st (week ending December 29th and including the Christmas storm) is that 53rd week. He did not believe the funds could be transferred to 2002 but it would be a decision for the auditors.

Mr. Eastman reminded the Board the Budget Committee did not cut the funds from the snow budget but Mr. Noyes recommended it when the Town Manager was directed to cut \$50,000.

6. Public Hearing on 2003 Budget and Warrant Articles.

Mr. Binette opened the Hearing at 7:36PM. Mr. Olson described the hearing and the opportunity for the public to comment on the operating budget and warrant articles proposed for 2003. (Copies were made available).

Mr. Olson noted correspondence was received today regarding the requirements of LCHIP funding, as per draft article #7. That article is now not necessary. **Mr. Eastman moved to delete article #7 off the Board's working list; second by Mr. Campbell. VOTE: Unanimous.**

Richard Robbins, Dogtown Road, inquired about the required EPA wash and why. Mr. Olson noted the Town can rinse vehicles but they would no longer be able to pressure clean or use degreasers, clean undercarriage, etc., without the contaminated water being separated from ground water flow. He noted the ladder truck would still be too large and the Town would need special dispensation in order to wash it. Mr. Robbins asked for the RSA/language that states the requirement, and also added that lots of people handle the issue at less cost the taxpayers. Mr. Olson stated he knows of no less costly way. Mr. Noyes stated there

are options with the correct permits but there are stringent rules to be followed and the risk of ground contamination is very high.

Mr. Bailey congratulated the Board on all the articles in not using surplus funds on specific ones to appear "free" but to let them all stand on their merits.

Mr. Baillargeon asked of the wording in the articles of "The Board recommends this appropriation" vs. "A majority of the Board of Selectmen recommends this appropriation". Mr. Olson noted when the word 'majority' appears, it was just that in the vote. The other refers to a unanimous decision. Mr. Baillargeon asked if the actual numbers (4-1, 3-2) could appear, rather than "majority". Mr. Olson inquired of Mrs. Blenk whether those numbers are recorded – she replied yes.

Mr. Campbell moved to include the vote of the Board on those articles now stating 'majority'; second by Mr. Ingram. VOTE: Unanimous.

Mr. Campbell moved to close the hearing; second by Mr. Ingram. VOTE: Unanimous. Time: 7:50PM.

7. Public Hearing on Exemption for the Disabled.

Mr. Binette opened the hearing at 7:50PM. Mr. Olson read the proposed article. Mr. Ingram asked of the residency requirement. Mr. Olson replied it is described per Statutes.

With no discussion, the Hearing closed at 7:52PM.

Mr. Ingram moved to place the articles, as presented, on the warrant; second by Mr. Campbell. VOTE: Unanimous.

Mr. Eastman asked if the Town's web page could be updated to remove last year's warrant and to include the new warrant and planning board articles by Friday. Mr. Olson noted that would be taken care of. [Note: The warrant articles from last year's meeting were removed in November. The Town is currently undergoing a switchover of servers and it is hoped that process will be complete this week. The articles will appear as soon as physically feasible – BB]

Mr. Ingram noted he had heard the papers would print the warrant. He encouraged residents to review the articles and come prepared to both the deliberative session and to the polls.

3. Mr. Binette called the Dicey's to the microphone for a presentation. He noted their great work over the years and expressed his happiness to have been a part of it, particularly during the building of the garage and the hard work during the flood. On behalf of the Board, he wished them all the best and continued by reading and presenting them with a proclamation for 'Doug and Jan Dicey Week' for January 13 through 19th. Mr. Binette noted his kidding throughout the years

that Mr. Dicey was older than him – he confessed this was not the case and admitted he “was, indeed, older than Doug!”

Mr. Dicey thanked the Board, also noting they will miss their work with the Town though they plan to stay within the Town to live. He has enjoyed his 31 years and 3 months, though difficult at times, particularly in getting budgets passed. He stated his first budget in 1971 was \$39,000, which included three full-time employees. For 2003, it is \$763,000, though revenues are now up to \$345,000. Those present applauded the Dicey’s for their long tenure and great work.

8. Request for Board support of warrant article in support of LCHIP funding.

Mr. Olson read the following draft article: “To see if the Town will vote to send the following resolution to the New Hampshire General Court: Resolved, in its first two years of operation, the Land and Community Heritage Investment Program (LCHIP) has helped communities throughout New Hampshire preserve their natural, cultural and historic resources and, therefore, the State of New Hampshire should maintain funding for LCHIP in its next biennial budget.” Mr. Olson reminded the Board the Town was able to acquire the farmland and barn off Newfields Road only because of the availability of LCHIP funds.

Mr. Campbell moved to place the article on the ballot with Board support; second by Mr. Ingram. VOTE: Unanimous.

9. Request for Board support of warrant article releasing a portion of right-of-way to an abutter.

Mr. Olson reported that Susan Henderson, owner of the Inn by the Bandstand, has plans to expand. Her plans call for building on two feet of the right-of-way she shares with the Town (her letter is attached). He had inquired of the Police and Fire Chief and Public Works Director on their concerns. He noted Fire Chief Comeau noted building codes require 30’ of separation when the structures are unsprinklered. He does not support the action. Mr. Olson recommended not supporting her request.

Susan Henderson expressed her appreciation for Mr. Olson’s assistance (though not his recommended) and presented additional sketches to the Board. The amount of the right-of-way being requested has been adjusted to be 2’ of the Town’s in the front of the building, reducing toward the back of the building to 6”, along the property line.

Mr. Eastman questioned the reason for the right-of-way. Mr. Olson noted it is a shared right-of-way granted in 1966 and was probably used to access the property from the front, though the deed does not allude to the purpose.

Mr. Ingram felt it makes sense to support the needs of a commercial citizen vs. the minimal safety needs of this space. The Zoning Board of Adjustment review was

not needed as there was no lot size issue. The Planning Board and Historic District Commission also both granted the change.

Mr. Campbell appreciates the Chief's concern but ***moved to support a warrant article to grant the additional footage required; second by Mr. Ingram.***

VOTE: Unanimous.

10. Permits:

The Exeter Lions Club requested the use of the Town Hall on April 26th, all day, for their annual auction. ***Mr. Ingram moved to approve; second by Mr. Eastman.***

VOTE: Unanimous.

11. Town Manager's Items:

- The Town Clerk provided the list of openings for candidates for the Town and School Meetings, noting the filing dates are January 22 through 31st (list attached). For Town positions, residents should file at the Town Clerk's office; for school positions – file at the Superintendent's office.
- Deadline for petition warrant articles is Tuesday, January 14, 2003 at 4:30PM. If any money articles are received, the Board will meet next Monday to discuss them. If any articles received do not deal with funds, discussion will be at their next meeting on the 27th.
- The DAR – Exeter Chapter will honor Nancy Merrill at a ceremony at the Historical Society at 3PM on the 14th.

12. Selectmen's Committee Reports

Mr. Ingram: Rockingham Planning Commission is developing a director's guide.

Mr. Eastman: None.

Mr. Campbell: Water/Sewer Advisory Committee met to discuss rates for 2003. A presentation to the Board will be at their 27th meeting.

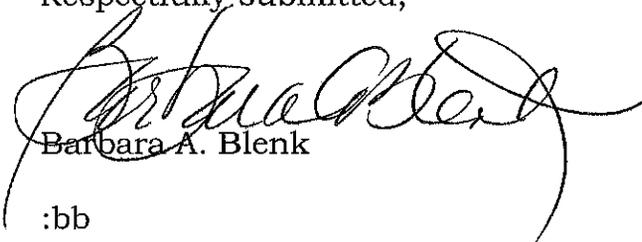
Mr. Binette: None, but thanked Town employees for their hard work during these past two large storms. He urged residents to thank them also, noting the crews have put in long hours. The Board appreciates what they've done and continue to do.

13. Public Comments:

Arthur Baillargeon noted the streets are very narrow around Tremont Street and stressed there is a safety issue. It is currently one way, with it barely two-way in the summer. He asked if anyone rides around town to note what areas required work on a more urgent basis. He felt the narrow streets have been avoided and that is not a safe situation to be in. Mr. Binette responded.

Mr. Ingram moved to adjourn; second by Mr. Campbell. VOTE Unanimous. Time: 8:25PM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Barbara A. Blenk". The signature is written in black ink and is positioned above the printed name.

Barbara A. Blenk

:bb

attach.