

1. Convene the meeting.

Chairman Binette convened the Board at 7:00PM on the above date. Also present: William Campbell, Lionel Ingram, Joe Pace, Robert Eastman and Town Manager George Olson.

2. Minutes of the Selectmen's meeting of April 28, 2003.

***Mr. Pace moved to waive the reading of the minutes and to accept them as submitted; second by Mr. Campbell. VOTE: 4-0.***

3. Bid openings:

Wash Bay: Chairman Binette noted opening for this was held off at the last meeting as only one bid proposal was received. There is still only one bid proposal received. Mr. Eastman stated he wanted more bids and feels the project can wait, noting we don't have to build it this year. It was noted that funds were appropriated and must be spent this fiscal year. Mr. Campbell stated it may be not be a common item to build and there may not be many that handle this construction. Consensus of the Board was to open the bid.

Dzioba Construction Co., Inc., Derry, NH                      \$133,092.

***Mr. Pace moved to have the Town Manager and Public Works representative review the bid and return with a recommendation; second by Mr. Campbell. VOTE: Unanimous.*** It was noted the budgeted amount for the wash is \$68,000.

Gutters-Town Hall: RFP's were sent to three companies, only one was received. ***Mr. Ingram moved to re-submit the bid for proposals; second by Mr. Eastman. VOTE: Unanimous.*** Mr. Eastman asked Keith Noyes (DPW Director) if the downspouts weren't done in recent years and why was the project being completed again. Mr. Noyes noted just temporary repairs were completed. This project will realign gutters along the entire building and re-route the water through the building into a storm drain, away from the foundation.

4. Bid awards:

Tennis & Basketball Courts: Mr. Olson recommended the low bid of Bell & Flynn at \$119,000. ***Mr. Eastman moved to award the bid for resurfacing the Courts at the Recreation Park to Bell & Flynn for \$119,000; second by Mr. Pace. VOTE: Unanimous.***

Vacuum Truck: Mr. Olson, based upon recommendations of the Review Team, recommended Vactor Company, through C.M. Wood, for \$233,780 without trade. They also recommended the current truck be sold by sealed bid after the new truck arrives. Victoria DelGreco, W/S Supt., noted the prices presented were for different vehicles. When the comparison was made for 'like' trucks, C.M. Wood was the strong favorite. Some of the differences included: horsepower, safety issues (the operator stands in a safer zone when operating the reel; larger body (meaning larger capacity and less trips); more pressure from the pump. Mr. Ingram asked about the exhaust, noting the Safety

Committee has concerns, particularly for the winter months, that exhaust be directed away from the cab. Ms. DelGreco noted she would check on this as she had not noted that during demonstrations.

Mr. Binette suggested a minimum bid be requested when asking for sealed bid on our current truck.

***Mr. Ingram moved to award the bid to C.M. Woods at \$233,000; second by Mr. Pace. VOTE: Unanimous.***

5. Final reading on changes to Town fee structure – Blue Bags.

Mr. Binette read the proposed changes, noting 33-gallon would increase to \$1.65 and 15-gallon to \$.85. Mr. Eastman asked Mr. Olson if he had considered the vote of Town Meeting for the article presented by Mr. Cellucci to eliminate the bag program, based upon the 32% increase in price. Mr. Olson noted he did not, as the cost to have rubbish collected is paid for by the bags.

Mr. Eastman suggested 50% of the fee go toward the tax rate and increase the bags 17 cents. Mr. Pace stated many residents have disposal of rubbish through landlords paying for dumpsters and it would not be fair to add disposal costs through taxation: with the bags, it's a user fee. He went on to note he would prefer to expand the recycling program to those who don't currently have pick-up, rather than transfer the cost of rubbish disposal to taxes.

Mr. Ingram stated if a resident petitions Town Meeting for rubbish to be paid by taxes, he feels it is very selfish and it should continue as a user fee.

Mr. Eastman stated at the inception of the recycling program it was noted a high revenue was anticipated from the program. Mr. Olson corrected Mr. Eastman noting it was never the intent to develop the recycling program as a revenue-generating program. Mr. Eastman suggested a work session to discuss charges for recycling.

Back on the subject of the bag increase, Mr. Campbell noted 5 cents could be dropped off each proposed figure and still cover the costs, as the cost of the transfer station is in the budget. Mr. Eastman stated there is \$5,000 in the budget to cover the transfer station and asked whether the additional \$15,000 in revenues could reduce the bags further. Mr. Olson stated there were several accounts that handle the transfer station (i.e. OT, dozer rental, etc.). Mr. Olson noted if the price is reduced too low it gives little room for a bag increase over the next 5 years (increase to Town – not to customers).

Mr. Pace asked what percentage is sold at the Town Office vs. the stores. Mr. Olson estimated 5-10%, noting residents are constantly in purchasing bags but not the large volume of stores. Mr. Ingram stated the blue bags are required to dispose of the garbage and is a user-fee only, the Board could cut down the proposed increase by 5-cents by removing the transfer station costs.

***Mr. Pace moved to increase the price of the blue bags to \$1.60 for 33-gallon and \$.80 for 15-gallon, effective June 1, 2003; second by Mr. Ingram. VOTE: 3-1.***

6. First reading on change to Town fee structure – Appliance Disposal stickers.

Ken Quinto, Highway Supt, has prepared a memo noting the recent increases for the removal of appliances containing Freon Gas. R.A.D. Recycling has charged us \$5 for each appliance but has increased their price by \$1, though residents are still paying only \$5. He recommended an increase to \$6. This is the first reading; second and final will be June 2<sup>nd</sup>.

7. Taxation of workforce housing.

The Planning Board is about to begin the review of the new development off Watson Road and the developer wishes to take advantage of the Town's new regulation providing for a density bonus if work force housing is built. Some of the issues raised at their April 14<sup>th</sup> Selectmen's meeting included: requiring more than a 5-year commitment for affordable housing; case-by-case basis. Mr. Olson noted he had received a call from the developer who was prepared to make the properties affordable for "10 or 20 years, even in perpetuity". Would there be deed restrictions? Yes, they are called for but he had not received them in writing.

Mr. Pace asked when it says "taxed at this value" is it for any project or just this construction? Mr. Ingram noted it is case by case. Mr. Olson reiterated this but it is important that any minutes of the discussion state it is 'case by case'.

Mr. Eastman stated if the Board submits the zoning amendment to the Planning Board, it should be stressed that the Board of Selectmen is the assessing body and the Planning Board should not over step its legal authority. Requests must go to the Selectmen. Mr. Pace noted the Board may only see a request once and, with a zoning amendment change, the mandatory wording would clarify how the program works.

Mr. Olson noted as the Assessing Board, the Selectmen determine the value of the property and, though the regulations state a 5-year commitment, the Board could request longer.

8. Dog Ordinances.

Mr. Olson stated the Board's concern of owners picking up after their dogs is being reviewed and, where a recent complaint was received, signs have been installed noting that responsibility of owners. The resident who initiated the complaint called and thanked the Board for their action.

At the last meeting, issues arose concerning penalties as noted in our ordinances. Barbara Blenk researched the matter and found several RSA's addressing the issue of dogs as a nuisance, menace and/or vicious. It is clear the penalties are listed in the Statutes. The ordinance, however, does need cleaning up, given at least two changes to the Statutes since our ordinance as adopted. He has asked Town Counsel to review and return with draft ordinance changes.

9. Request to address Board: Boulder Brook subdivision – Jonathan Ring (Jones & Beach Eng.)

Mr. Ring, along with Michael Black representing the owners, was present to discuss the 32 acres located off Birch Road. The Exeter and Brentwood Planning Boards have approved the sub-division and sign-offs are required on many issues, including maintenance of the roads.

Mr. Ring provided the Board with copies of the plan (cover page attached) and a draft 'Declaration of Road Maintenance' as prepared by the developer's attorney (attached). Performance bonds will be prepared for both towns and construction will begin once all paperwork has been signed. Mr. Olson questioned #4 of the Declaration noting Exeter's authorization to perform such maintenance and whether Brentwood had yet accepted that language. Not yet. The attorney will prepare a final draft but wanted Exeter's notes prior to their meeting.

Jennifer Perry, Town of Exeter Engineer, provided a memo (4/23/03 – attached) expressing concerns of the Town regarding the road maintenance. Her recommendation is for the Town of Brentwood to conduct the winter maintenance for the entirety of the proposed road. Exeter will be responsible for all other maintenance for the section of the road located within Exeter.

Mr. Olson noted the documents, with counsel comments, will be returned to the Board for their signature on June 2<sup>nd</sup>. It was felt the Board is comfortable with the concept and if Town Counsel says all is well, they would agree but did not wish to hold the project up till after June 2<sup>nd</sup>. **Mr. Ingram moved to approve the agreement pending, in accordance with this discussion and the language accepted by Brentwood; second by Mr. Campbell. VOTE: Unanimous.**

10. Waiving of bid process for bituminous concrete pavement.

Bell & Flynn is offering to extend the current contract for Bituminous Concrete Paving with the following modifications, upon mutual agreement by the Town of Exeter:

1. Unit price of pay would be \$34.75 per ton, an increase of \$2.00 per ton
2. Traffic control, as required, shall continue to be provided by the Town of Exeter
3. All other terms, conditions and prices shall remain unchanged through the 2003 construction season.

In a comparison of ton prices in neighboring towns, the proposed price is average. Mr. Campbell asked how often are items not placed out to bid? Mr. Olson noted not often but this particular item has been waived over the years. In 1998, there was no bid but increased to \$31.75 and held for '99 and '00; in 2000, there was no bid but increased to \$32.75 and held for '01 and '02.

**Mr. Ingram moved to waive the bid process for Bituminous Concrete Paving; second by Mr. Pace. VOTE: Unanimous.**

11. Impact Fees – Sylvia von Aulock & Bruce Mayberry.

Ms. von Aulock, Town Planner, explained the Impact Fee Committee has been meeting and the first study involves impact fees in support of schools. The ordinance permitting the use of impact fees calls for the Planning Board to adopt methodologies for implementation and the Selectmen to accept them. Mr. Mayberry explained, briefly, the methodologies used in determining the school impact fee.

Mr. Campbell asked who handles the fees? The Town and they can only assess those properties affecting the school (i.e. senior housing would not have this impact fee applied, though all other impact fees would apply). The fee offsets school capital costs, with the Town retaining the fees for up to six years. Following that, fees would be returned. Mr. Eastman noted the Town collects, the Board receives requests from the School and the appropriate funds would be applied: we don't just hand

over the money to the schools. Town Counsel would interpret the regulations on when the fees would be effective, following adoption by the Planning Board (i.e. if plats are approved prior to adoption but some are still pending, would the entire project be waived for the impact fee).

It was explained that funds can be recouped after building, so any school capital expenses over the next few years could be submitted for impact fees of future construction.

The impact fees relating to the Fire Department and Recreation Department are being reviewed now and should be ready soon. The Planning Board is ready to accept the school fees at their June meeting; the Selectmen will then accept them to get them up and running. Ms. von Aulock noted Town Counsel has a variety of questions to review.

She reminded everyone of the Historic Downtown Restoration Project meeting at the Library on Wednesday from 6-8PM.

12. Update on plans for the Water Treatment Plant – Victoria Del Greco.

Ms. Del Greco noted she called about the question raised earlier and the exhaust pipe on the vacuum truck is located behind the cab.

With the appropriation approved at Town Meeting for the Plant Design, she was here to present the Board with a first of many updates throughout the year on the project.

Engineering has reviewed the river pump station and structures and all appear very sound. The location of the in-take pipes has been verified and the Reservoir depths have been checked and verified. In the field, wetlands have been flagged and borings for lead sampling (with over 600 samples) are complete. The Project Quality Management Team, consisting of CDM engineers, Town staff, representatives of NH Dept. of Environmental Services and Mr. Campbell, Selectmen's representative, have discussed the project, noting it is the largest project of the Town both in scope and budget. To ensure success in this fast-paced project and to stay on track, the Final Design Phase must achieve several goals (see attached list).

Ms. Del Greco wants feed back from the Board and hopes to meet with the Board a minimum of every six weeks, though more often when worthwhile information is available.

13. Authorization to accept Household Hazardous Waste Grant and execute associated documents.

*Mr. Pace moved to authorize the Town Manager to sign the grant paperwork on behalf of the Board; second by Mr. Campbell. VOTE: Unanimous.*

14. Permits:

- Philip Wurez, General Contractor, requested use of parking spaces by 61 Water Street in order to demolish a brick wall for expansion of store, on May 14, 15 and 16, 2003. **Board approved.**
- Congressman Jeb Bradley requested the Wheelwright Room for public outreach hours on May 16<sup>th</sup> from 9 to 10AM. **Board approved.**

- Perrin Prescott representing the Gideon's International, requested permission for free distribution of New Testaments on sidewalks on May 21<sup>st</sup> and July 15<sup>th</sup>. **Board approved.**
- George Olson, representing the Kiwanis Club, requested permission to block off parking spaces by the Bandstand on May 31<sup>st</sup> from 7AM to 4PM for hot dog sales as part of the Alewife Festival. **Board approved.**
- Harry Thayer requested permission to block off the road at Swasey Parkway on June 7<sup>th</sup> from 10AM to 2PM to display and pump the Town's 1873 Eagle Steamer for townspeople. **Board approved.**
- Carol Aten of Squamscott Coalition, requested permission to use the Wheelwright Room the first Wednesday of each month from 8-10AM for a meeting. The current dates include: July 2, August 6, September 3 and October 1<sup>st</sup>. **Board approved.**
- Bruce Taylor, Granite State Quest, applied for a 100 mile cycling fundraiser on July 12 from 6AM to 8PM. The Chief of Police has signed off on the route. **Board approved.**

15. Town Manager's Items.

- The Town Clerk announced that April 30<sup>th</sup> was the deadline to register dogs, per State Statutes. There are currently 600 dogs unregistered in Town. Final date is May 31<sup>st</sup>, then a dog warrant is prepared by the Clerk, signed by the Board and given to the Animal Control Officer. The fee is \$1 per month and a \$25 fine.
- The Town Clerk's office will be closed in order for staff to attend a training session on Wednesday, May 14<sup>th</sup>. The other offices are open that day. The Office re-opens Thursday.
- An announcement from our Assessor reports that Vision Appraisal will be conducting visits to properties to complete interior inspections and exterior measurements of homes beginning 5/14. This will verify improvements to the property, re-measure the home and clean up errors on the records in order to accurately reflect market value. Personnel will be starting on-site inspections north of Swasey Parkway (Newfields Road, Beech Hill Road, Watson Road, Told Town Farm Road, Epping Road) and east of Drinkwater Road. Any questions, residents should call the Assessor's Office.
- Next meeting of the board will be June 2<sup>nd</sup>.
- The Town's offices will be closed May 26<sup>th</sup> for Memorial Day.
- The Town's Memorial Day parade will be Monday, May 26<sup>th</sup> with formation at Swasey Parkway at 9:30AM.

16. Selectmen's Committee Reports.

Mr. Pace: Tuesday, 6:30PM Arts Committee; Thursday, 7PM – Historic District

Mr. Ingram: none

Mr. Eastman: Friday, the Veteran's Cookout will be at EHS and an invitation has been extended to the crew of the Annapolis. He suggested a work session to discuss how the Board wishes the budget presented this year and extend an invitation to the Budget Committee for questions. He expressed concerns over revenues. Mr. Ingram preferred to first discuss the matter with the Board and then invite the BudCom in.

Mr. Campbell: Historic Downtown Committee viewed Durham last week, which was informative. Conservation meeting Tuesday at 7PM.

Mr. Binette: Recreation Dept held its annual Fishing Derby last Saturday and Mike Favreau, Rec. Director, felt it was a huge success.

17. Public Comments:

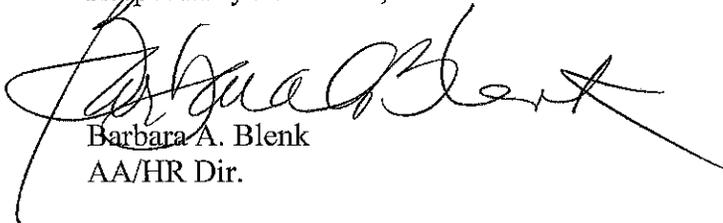
Arthur Baillargeon, Tremont Street, noted the potholes appear worse than ever this year. Keith Noyes noted the weather has wreaked havoc with its freeze/thaw cycle this spring. The crew is out with the hot box, noting the hot top plants just opened. Prior to this, crews were out using cold patch. Paving plans are getting underway for this season. He suggested anyone with pothole concerns should call the DPW office.

Mr. Eastman asked if the street sweepers could adjust their schedule and handle rural areas at night, in order for him to not get late night phone calls. Mr. Noyes noted they are rotating two shifts to get caught up and will ask them to be aware of late hours and residential areas.

Mr. Binette asked Mr. Noyes to explain the 'bump out' at the Town Hall. In order to keep the stop sign on Water Street in what is now its temporary location, it was suggested a bump out be installed to decrease the amount of roadway for pedestrians to cross, rather than 3 full lanes and parking spaces. It is currently a minimal job to prepare.

***Mr. Pace moved to adjourn; second by Mr. Eastman. VOTE: Unanimous. Time: 9:20PM***

Respectfully submitted,



Barbara A. Blenk  
AA/HR Dir.

attach.