Draft Minutes

Exeter Board of Selectmen

October 5, 2015

1. Call Meeting to Order

Chairwoman Julie Gilman called the meeting to order at 6:30 pm in the Nowak Room of the Exeter Town Offices building. Other members present were Vice Chair Don Clement, Selectman Dan Chartrand, Selectwoman Nancy Belanger, and Selectwoman Anne Surman. Town Manager Russell Dean was also present.

2. Water/Sewer Abatements

The following abatement requests were given:

- 14 Crestview Drive. Jonathan Barone, homeowner, said he had excessive water usage between bill period 1/21/15 and 4/21/15. He was diagnosed with health problems and was preoccupied and was not aware that 2300 gallons per day was leaking. Chairwoman Gilman said Water/Sewer Department did recommend abatement here. A Motion was made by Selectman Chartrand and seconded by Vice Chair Clement to grant Jonathan Barone abatement in the amount of $324.37. Motion carried – all in favor.

- 99 Haze Park. A Motion was made by Selectman Chartrand and seconded by Selectwoman Surman to approve abatement for 99 Hayes Park for Maureen McCue in the amount of $61.71. Motion carried –all in favor.

- 120 Front Street. Tracy Tucker, representing New Heights, said 124,000 gallons of water was lost. New Heights occupies 120 Front Street. A pipe burst. Hart Plumbing is looking into it. She said the charges for a non-profit are extensive. A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to grant New Heights abatement at 120 Front Street for $681.51 per the recommendation of the Water/Sewer Department. Motion carried – all in favor.

- 4 Liberty Lane. A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to follow the suggestion of the Water/Sewer Department and disapprove this abatement for $530.57 to Richard Elder of 4 Liberty Lane. Motion carried –all in favor.

- 4 Chestnut Street. A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to follow the recommendation of the Water/Sewer Department and

disapprove the application for abatement for the Exeter Parks & Rec at 4 Chestnut Street for $770.73. Motion carried – all in favor.

- 12-14 Washington Street. A Motion was made by Selectman Chartrand and seconded by Vice Chair Clement to disapprove applicant's request for abatement for 12-14 Washington Street in the amount of $685.13. Motion carried – all in favor.

- 3 Salem Street. Homeowner said Mr. Jeffers came out to assess the problem. She said water pools in front of her house. Selectwoman Surman said there was not enough evidence present to disapprove this application. Vice Chair Clement suggested tabling this one until Mr. Jeffers can come in and explain. A Motion was made by Selectman Chartrand and seconded by Vice Chair Clement to table abatement request. Motion carried – all in favor.

- 24 Windemere. The homeowner was present and plead his case. Vice Chair Clement said an abatement request is only granted if the town is responsible. A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger that the BOS disapprove request for abatement for 24 Windemere Road per recommendations from the Water/Sewer Department. Motion carried – all in favor.

- 93 Front Street. A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to disapprove request for abatement for 93 Front Street per recommendation from the Water/Sewer Department. Motion carried – all in favor.

- 1 Ridgewood Terrace. Barry Stewart, tenant and brother of homeowner, spoke on behalf of Lori Stewart. Mr. Stewart said essentially the road shoulder is too low. If the berm is compromised, water runs right into the basement windows. The Town built up the shoulder with gravel, but that eroded and the problems persist. It was Unitil's responsibility as well here to fix the problem, as they had dug in the area. So water usage was for irrigation to grow the grass back. Mr. Dean said he received an email from Jay Perkins saying the Town built the berm and has been trying to assist any way they can here. Selectwoman Belanger asked if Unitil has attempted to fix anything. Mr. Stewart said they have been contacted several times, but no lawsuit has been filed. A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to table this until they get more information. Motion carried – all in favor.

3. Board Interviews

There were no Board Interviews.

4. Bid Openings/Awards

There were no bid openings or awards.

5. Public Comment

Bill Jordan, Chair of the History Department at Phillips Exeter Academy, had his Politics and Public Policy class in to observe the meeting. Mr. Jordan said they are mostly covering national government, but he thought it would be good for them to observe town politics.

6. Minutes and Proclamations

a. Proclamations/Recognitions

None.

b. Regular Meetings: September 21, 2015

A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to approve the minutes of the September 21, 2015 BOS meeting, as submitted by Nicole Piper. Motion carried – all in favor.

7. Appointments

A Motion was made by Selectwoman Surman and seconded by Vice Chair Clement to appoint Frank Ferraro to the Cable Advisory Committee. Chairwoman Gilman said this wasn't on the agenda because she was waiting for more information. Vice Chair Clement said their practice is to interview for this, but he said there have been many cases when it is not necessary. He is not sure why they need an interview when Mr. Ferraro was a previous Selectman. Selectman Chartrand said he would like to conduct an interview. Selectwoman Surman said she thought Mr. Ferraro would be an asset to this Committee. He has served well and is experienced. Selectwoman Belanger said she would like an interview. Mr. Dean pointed out that per Board policy a person can only serve on two Boards, and Mr. Ferraro is currently on River Study Committee and Budget Recommendations Committee. Chairwoman Gilman said BRC is not an appointed position. Vice Chair Clement said to interview him again is not necessary. With a Motion on the table, the Board voted. Motion denied – with a 3-2 vote. Chartrand, Belanger, and Gilman voted nay. The Board will interview Mr. Ferraro.

8. Discussion/Action Items

a. New Business

i) Planning Process Update – Municipal Resources, Inc.

Chairwoman Gilman said they have hired a consultant to do a study for the Planning Department about how the department is running and if it is running well. Don Jutton was

hired to do the study. Mr. Dean reminded the Board how they asked him to tell them when they were are the $8000 point with this work, and he said they are at $7800.

Mr. Jutton provided the Board with an overview of his findings. He said he started the study by distributing online questions to 59 volunteers, of which 32 responded. He said this was a poor response since this was a target audience. There was a general satisfaction with the department. The staff was praised. There is a lack of organizational communication. There is a need for training. There is difficulty recruiting interested volunteers.

When the BOS, staff and volunteers were interviewed, their key takeaways were that there was a lack of common vision, the workload is unbalanced, the process is loose and not well documented, and there is a lack of understanding of mutual benefits of responsible development.

When property owners, developers, and project proponents were interviewed, the key takeaways were there was frequent inconsistency, a lack of predictability, and complaints with the Technical Review Committee's role.

MRI's observations, generally speaking, was that Exeter is a great community with lots of assets and talent. There is great history and it is an ideal location. However, the negatives were that there is lots of regulating with little planning, an outdated Master Plan, and a reputation of being a difficult community to work in.

Mr. Jutton made some recommendations. He said leadership comes from the top, i.e. the BOS. He suggested developing a policy that a user friendly community development system and positive, responsible economic development focus is their priority and that the town is open to work with anyone who is prepared to invest in development. He then suggested tasking the Town Manager to do what is necessary to implement the policy. The Town Manager also needs to set priorities for staff and define staff roles. A point person should be established to coordinate. He should reset priorities to emphasize collaboration and set performance measures. The BOS and Town Manager should establish a Community Development Coordinating Committee to meet quarterly. They should set written standards to what is expected from volunteers and committees. They should initiate a process to update the Master Plan, as it is outdated and inconsistent in regulations.

Vice Chair Clement said there are a lot of good observations here. He asked if a full report would be out soon. Mr. Jutton said yes, within the next couple of weeks. He said the town needs to look for a new Planner, and they should advertise right away. They need someone to dig into the data and is well experienced.

Selectwoman Belanger said regarding rules and responsibilities , they should start with the BOS and the Town Manager. Mr. Jutton said they should task the Town Manager and hold him accountable. He said there is a statute which defines the role well.

Selectwoman Surman asked Mr. Jutton to clarify "loosely structured process." Mr. Jutton said it is because of the inconsistent roles; a system where people are not sure when their roles are.

Mr. Jutton said they need to hire a Planner who actually plans. Someone who will focus a lot of their time on actual planning.

Selectman Chartrand asked about "Gatekeeper vs. collaborative perspective". Mr. Jutton explained this by saying they need staff to support those who are empowered to make certain decisions, not make those decisions themselves if they are not empowered to do so. Selectman Chartrand then asked for more clarification on "establish a point person to coordinate." Mr. Jutton said they need someone who's job is to pull the pieces together and make sure visions are seen. Someone who makes sure the sequence of events occurs in the right way.

Chairwoman Gilman thanked Mr. Jutton for his work. She is encouraged to have this study.

Vice Chair Clement said the Technical Review Committee process is not a good process. He said it is over redundant and Mr. Jutton made a great observation.

Chairwoman Gilman asked if the final version of the report have a recommended series of steps. Mr. Jutton said he will try to include that. He said they will continue to respond to questions. He emphasized on defining the system and "telling the players what is expected of them and hold them accountable."

Mike Dawley asked the Board not to hesitate to take a vote to instruct the Town Manager to start recruiting for a Planner tomorrow.

A Motion was made by Vice Chair Clement and seconded by Selectwoman Belanger to charge the Town Manager to start recruitment for a new Town Planner. Motion carried – all in favor.

Chairwoman Gilman asked the Board to come to the next meeting with some ideas for a policy. Mr. Jutton said if anyone has any questions about this, feel free to email him. Vice Chair Clement said there has to be more than the mission statement, this policy has to have parts. He said they also need to talk about the Master Plan and get the Planning Board re-engaged.

Mr. Dean said the Planning Board has been more consumed in their procedures than in the Master Plan. They are gathering data which will be shared with the Board.

Selectman Chartrand said Mr. Jutton has done great work which will lead the BOS in the right direction.

ii) Recreation Park RFQ – Parks/Recreation

Mike Favreau said the Rec Park on Hampton Road is the largest piece of potential undeveloped land there is. He said it is partly boxed in. It is wooded and partially slanted at approximately 8 acres. With regards to a potential building on the land, he said they need more data to see if it can be done and what will the cost be. They are looking to find out if the land is developable and, if so, what will it support. They need to find out what the best way will be to get utilities in, or if they should redesign the park. The land has been surveyed, so they can gather a lot of data this fall and develop a plan when snow falls. They need a redesign and more parking. They have told firms the cost will be around $15,000 to do the study. He said this is a reasonable figure to do this.

Selectwoman Belanger asked if the programs will pay for this cost. Mr. Favreau said yes, and said this is not tax money.

Selectwoman Surman asked if they projected a need for extra fields when UNH did their study. Mr. Favreau said they didn't specifically say. He said although Exeter is an aging community, there are still children and a need for fields.

Selectman Chartrand said he is in favor of this and thinks it is a great first step.

Vice Chair Clement said they should get figures before they tell firms their price. He also asked when they will get a full report back from the engineer if they move forward with this. Mr. Favreau said they would get one late winter/early spring.

Chairwoman Gilman pointed out a couple typos, but said she liked the RFQ. She asked if a site visit was included in this. Mr. Favreau said that is a good idea.

Mike Dawley supported Mr. Favreau. He said they need civil engineering of the site. He encouraged to stick to engineering. Chairwoman Gilman said planning is involved too.

Chairwoman Gilman said the area can be repurposed if necessary.

A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger that the BOS approve the release of the RFQ and approve allocations of up to $15,000 from the Revolving Fund from Parks & Rec. Motion carried – all in favor.

iii) 2015 MS1 Review

Chairwoman Gilman said the MS1 states how land is currently used. It delineates exemptions and gives the assessed valuations of utilities.

Mr. Dean talked about the exemptions. He said the total modified assessed value is $1,695,655,650. Exemptions total $33,619,328 with $30,761,428 in elderly exemptions. The net valuation without utilities is $1,629,087,558.

iv) Fund Balance Discussion

Mr. Dean said the Fund Balance Policy has a 5% minimum retainage of general appropriations. There are many reasons for this minimum. He said they are recommending an application of $575,000 to be used to lower the tax rate. He talked about the Exeter Tax Rate Calculation. Selectman Chartrand said he is in favor of the application for the tax rate. He said this is the fourth straight year that the tax rate has lowered. Vice Chair Clement said that is good news to the taxpayers. He asked if the cable fund reserves are listed. Mr. Dean said they are listed under Other Permits.

A Motion to approve $575,000 for the tax rate was made by Selectman Chartrand and seconded by Selectwoman Belanger, then was withdrawn.

A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to apply $575,000 of the fund balance to be used to lower the tax rate. Motion carried – all in favor.

v) CATV Special Counsel Agreement

Chairwoman Gilman said there is a proposal from Kate Miller from DTC Lawyers, to be hired as counsel for the Comcast Cable TV Franchise Renewal.

Selectwoman Surman asked if this is premature, as the committee has not been formed yet. Mr. Dean said Donahue Tucker has represented them for Cable TV Franchise Renewal in the past. They are recognized as one of the best in the area, plus they are local.

Vice Chair Clement asked where the legal fees come from. Mr. Dean recommended they come from the Cable Fund.

Chairwoman Gilman said she understands this may be premature but they are paying DTC to support their process. Mr. Dean said they want to make sure they have the representation. They need this expertise to review things. Vice Chair Clement said he would feel more comfortable having some more numbers.

The Board decided to wait until they got some more information on this before making any decisions.

vi) 2015 Riverwoods Tax Agreements

A Motion was made by Selectman Chartrand and seconded by Vice Chair Clement that the BOS approve the Agreement between Exeter and Riverwoods Company in regards to tax obligations for The Woods facility. Motion carried –all in favor.

A Motion was made by Selectman Chartrand and seconded by Vice Chair Clement that the BOS approve the Agreement between Exeter and Riverwoods Company in regards to tax obligations for The Ridge facility. Motion carried – all in favor.

A Motion was made by Selectman Chartrand and seconded by Vice Chair Clement that the BOS approve the Agreement between Exeter and Riverwoods Company in regards to tax obligations for The Boulders facility. Motion carried –all in favor.

vii) Release of School Impact Fees

Mr. Dean recommended $98,781 be released by the BOS to lower Exeter's School Tax Rate.

A Motion was made by Selectman Chartrand and seconded by Vice Chair Clement that the BOS release a total of $98,781 in school impact fees to lower Exeter's school tax rate for the 2015 year. Breakdown as follows: $85,784 to Exeter School District K-5, and $12,997 to Cooperative School 6-12. Motion carried – all in favor.

b. Old Business

Chairwoman Gilman pointed out a memo in the packet regarding an error in the assessment for Riverwoods. Mr. Dean said Paul McKenney will be at the next meeting on the 19th.

<u>9. Regular Business</u>

a. Tax, Water/Sewer Abatements & Exemptions

A Motion was made by Vice Chair Clement and seconded by Selectwoman Belanger to approve the Intent to Cut for map 48, lot 4. Motion carried –all in favor.

b. Permits & Approvals

None.

c. Town Manager's Report

Mr. Dean talked about the following, which was included in the packet:

- The FY16 preliminary budget narrative was completed and given to the BRC

- Attended budget subcommittee meeting on 9/24 to discuss manager budgets

- Other budget subcommittee meetings have begun

- Water/Sewer collection notices have been sent

- Work continues on the deeding process

- In Planning, worked on issue involving new cooling town with Exeter Mills. There was concern raised with site plan review. It will go to Planning Board

- Signed documents for household hazardous waste

- Attended annual ICMA conference

- Assigned to the HealthTrust governance and nominating committee

- Welfare/Human Service – working on getting cost information from outside agencies/regional entities

- There was a new hire Joshua Stevens as PT Transfer Station Attendant

d. Selectmen's Committee Reports

Vice Chair Clement said he went to Hazardous Waste Day. He said Planning Board met and reviewed 80 Epping Road and approved a site plan review for McFarland Ford. He said Coastal Risk & Hazards Commission met and he went to a Southeast Watershed Alliance meeting.

Selectman Chartrand forwent his report.

Selectwoman Surman reported Swasey Parkway Trustees met. They are working with a contractor to put materials under the benches.

Selectwoman Belanger forwent her report.

Chairwoman Gilman said Exeter Sportsmen's Club site walk is October 8 @4. Also the Historic District Commission had a work session.

e. Correspondence

The following correspondence were included in the packet:

- letter from Barbara Rimkunas looking for Exeter's oldest resident

- Public Works News Release

- A letter from REDC regarding the 2016 CEDS Steering Committee. A Motion was made by Selectwoman Belanger and seconded by Selectwoman Surman to appoint Selectman Dan Chartrand to conduct the role on this Committee. Motion carried –al in favor with one recuse from Vice Chair Clement.

- 2015 Water Rate Survey

- A Notice to Abutters from Salem Planning Board

- A public notice from Seabrook Planning Board

- A letter from UNH regarding the Roads Scholar Program

- A letter from Rockingham Planning Commission regarding dues request for 2016

- A letter from Anush Hansen

10. Review Board Calendar

The next BOS meeting will be October 19, 2015.

11. Adjournment

A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to adjourn the meeting at 9:42pm. Motion carried – all in favor.

Respectfully submitted,

Nicole Piper,

Recording Secretary