

Draft Minutes

**Exeter Board of Selectmen**

January 11, 2016

**1. Call Meeting to Order**

Chairwoman Julie Gilman called the meeting to order at 6:45 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. Stratham Water Purchase Agreement Signing**

The Exeter Board of Selectmen and Stratham Board of Selectmen came together for an official joint signing of the Stratham Water Purchase Agreement.

**3. Board Interviews – Conservation Commission**

The Board conducted a Board interview at 7pm in the Wheelwright Room with Andrew Koff for the Conservation Commission.

**4. Bid Openings/Awards**

There were no Bid Openings or Awards.

**5. Public Comment**

Acting Chief of Police Shupe spoke about his new role. He said he has been with the Exeter Police Department for 19 years. He is excited and anxious to get started as Chief of Police. He said he is excited to get started with the “boom” that is going on in Exeter. Chief Shupe said he is a family man, and thanked his wife for her support in his role as a police officer. He congratulated Chief Kane on his 35 year career and wished him the best. He said Chief Kane has left him with a well-equipped and well trained department. He said he wants this job as Chief, and the department wants him in this position. His focus going forward is on two priorities; one is the police department and the men and women of the department, and the other is the community. He has some ideas he wants to get rolling. One is “Coffee with the Chief”, and one is creating the position of a “POP” officer (a community officer). He said he wants his officers to work with compassion and he wants to continue to hire quality people. In all, he said Exeter has been good to him and he wants to return the favor.

The Board thanked Chief Shupe for stepping up as Acting Chief.

Jeff Turner (and his wife, Lori), owners of the Green Bean, were present to speak about their concerns with the removal of the dam. He said the wall beneath the Green Bean is around 200 years old and supports the Green Bean above. He has met with Paul Vlasich about his concerns. A VHB report that came out did not put his concerns at ease. He replied to Mr. Vlasich and said he was not satisfied with the report. He said Mr. Vlasich requested a waiver to bypass his permission, as all abutters need to give their permission for the permitting process, and Mr. Turner has yet to give his. He said the town asking for that waiver has hurt his trust for the town. He asked that the permitting process be stopped until he and his wife are assured their property is safe.

Vice Chair Clement said he knew about the waiver, as it was discussed at last Thursday's River Study Committee meeting. He said, however, that he was unsure they were going to move forward right away with the waiver. He said this is a process that needs to go forward.

Mr. Turner said he just wants reassurance that his business is safe, and he is not getting that.

Mr. Dean said he would like to go back and look at this process with DPW, saying he felt they were talking about this waiver without knowing all of the details.

Selectman Chartrand said he thinks the town needs to tend to the business owners concerns. He said the town voted overwhelmingly to remove the dam. However, the town needs to reassure the property owners that no financial damage will be suffered through the removal of the dam.

Mr. Turner said what triggered him to come to this meeting was the waiver request. He felt this was not fair to him, as he did not have a part in it. He said if the town received the waiver, he would not have had fair ground and he thought that was "dirty" on the town's part.

Vice Chair Clement said he thought this was a procedural process with the DES and that Mr. Vlasich was not trying to do anything "dirty". He did agree that the town needs to reassure Mr. Turner that his property will not be harmed.

## **6. Minutes and Proclamations**

### **a. Proclamations/Recognitions.**

There were no proclamations/recognitions.

**b. Regular Meetings: December 14, 2015 and December 28, 2015**

Chairwoman Gilman had an amendment to the December 14, 2015 minutes, on page 8, adding on to the end of the third paragraph. Vice Chair Clement had an amendment to these minutes as well, on page 5, adding wording to the first paragraph.

**Motion:** A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to approve the minutes of the December 14, 2015 BOS meeting, as amended by Chairwoman Gilman and Vice Chair Clement, and as submitted by Nicole Piper. Motion carried – all in favor.

Vice Chair Clement had an amendment to the December 28, 2015 minutes, on page 5, changing the vote on the first Motion to 4-0 and adding “Vice Chair” before Clement in that Motion. Selectwoman Surman had an amendment to page 7, paragraph 8, striking some wording in the first sentence.

**Motion:** A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to approve the minutes of the December 28, 2015 BOS meeting, as amended by Vice Chair Clement and Selectwoman Belanger, and as submitted by Nicole Piper. Motion carried – all in favor.

**7. Appointments**

There were no appointments.

**8. Discussion/Action Items**

**a. New Business**

**i) “Garrison Road” Discussion**

Chairwoman Gilman said a road was recently discovered by surveyors on Tom Monehan’s property.

Darren Winham said this situation was born on one of Mr. Monehan’s properties at the end of Continental Drive. He believed the roads discovered existed starting in 1609. He provided a map of the area and pointed out the area where the “3 Rod Road” and “Garrison Road” are.

Mr. Gagnon, the surveyor who discovered the roads, said he was walking out on the property and discovered evidence of a road (two stone walls). He did some research and read through the deeds and found the property once belonged to a Daniel Young. Mr. Young acquired the land in 1699. The deed from Mr. Young lays this road out very well. Mr. Gagnon

said it fits the stone walls perfectly. Mr. Gagnon said he came up with the names of 3 Rod Road and Garrison Road because there were no names for them.

Mr. Winham said they still need to legally discontinue the road in order for Mr. Monehan to develop his land. He said they are currently in negotiations with a huge developer. He is looking to put this discontinuation on the Town Warrant.

Mr. Dean said in the draft Town Warrant, which is provided in the packet, there is language to discontinue Garrison Road and 3 Rod Road.

Attorney Thomas Leonard (Mr. Monehan's attorney who has been working on this) said this has been an interesting discovery of history, but it does present a huge issue for the land owners. He explained that the purpose of being in front of the Board is to clear up any potential questions. This only affects Mr. Monehan's property.

Chairwoman Gilman asked if they are confident with the names of the roads. Mr. Leonard said he is confident that they are not named at all.

Barbara Rimkunas, of the Exeter Historical Society, said "Garrison Road" was abandoned between 1802-1845, but it was mentioned in a document in 1930. In her research, she has found no discontinuance of this road which is a problem. She said they do need to take care of this. Selectman Chartrand asked if there are any other roads like this. Ms. Rimkunas said you never know until you start looking.

The Board agreed that they are in support of this discontinuance.

Chairwoman Gilman said the next step is to put it on the Town Warrant.

## **ii) Wastewater Facility Update**

Jennifer Perry, Public Works Director, gave an update of the Wastewater Facility. She said after completion of the preliminary design report by Wright Pierce in October, they moved forward with a value engineering effort in mid-December. She said this was a week long process of looking for improvements to the facility plan. They were looking for some cost savings opportunities. Over 58 modifications were recommended. The value engineering report is still preliminary. Ms. Perry said they are at a challenging point driving to have a final number for the Warrant Article, but they do not have a final number tonight. She has submitted the recommendations to DES, and anticipated some comments tomorrow (January 12).

Ed Leonard, of Wright Pierce, said the preliminary design report has been prepared. There were 130 drawings that were submitted with the report. With regards to the value

engineering report, he said they are working to mesh all of the recommendations together. He said the preliminary design report is based on a long of field work when looking at numbers. He said they expect to be closer to the original estimate by the end. He said they will have that documentation this week. DES is the oversight agency for the Wastewater Treatment Facility. Mr. Leonard said DES has received the reports. He said they wrote Wright Pierce a comment letter back. He then said Wright Pierce has responded to that letter. Mr. Leonard said DES wants to make sure the design is consistent with their regulations.

Vice Chair Clement said they also took a look at efficiencies – not just cost savings. He said a portion of the cost would be used for things not associated with the building, but with decommissioning existing lagoons and other DES regulations. He said DPW and Wright Pierce have done a great job laying this all out.

Mr. Dean said the bond hearing has been advertised at \$51,870,000. He said he will get the actual number out to the Board as soon as possible. Vice Chair Clement asked why the bond hearing is before the article approval. Mr. Dean said legally it needs to be advertised. He read the RSA pertaining to this. He said they need to put people on notice that this bond will be proposed.

### **iii) CDBG Hearing: Energy Improvements Exeter Housing Authority**

Chairwoman Gilman said they would next do the CDBG hearings. There were information packets available at the meeting.

**Motion:** A Motion was made by Selectman Chartrand and seconded by Vice Chair Clement to open a public hearing on Energy Improvements to Exeter Housing Authority Properties. Motion carried – all in favor.

Donna Lane, CDBG Consultant, read the following:

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for housing and public facilities, up to \$500,000 for economic development, and up to \$350,000 for emergency activities. All projects must benefit primarily low and moderate income persons. Up to \$12,000 is available per planning study grants.

The purpose of this hearing is a proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant funds. The majority of the funds, up to \$475,000 of those funds, will be subgranted to Exeter Housing Authority for energy conservation improvements at Squamscott View Apts. 277 Water Street,

Linden Fields Apts. 82 Linden Street, Auburn Street Apts. 16-18-20 Auburn Street, and/or Portsmouth Ave. Apts. 11-13 Portsmouth Ave.

This project conforms with Exeter's Housing and Community Development Plans Goal of: GOAL – The Town of Exeter should seek to promote a varied stock of safe, sanitary, decent and affordable housing for persons of all age and income groups. (Short-term and Long-term goal).

Tony Texeira said most funds will be used to convert the heating systems. Funds will also be used for changing lighting to LED and changing bathroom fans to Energy Star, and other small energy efficient improvements.

Chairwoman Gilman asked for any public comment, of which there was none.

**Motion:** A Motion was made by Vice Chair Clement and seconded by Selectman Chartrand to close the public hearing on the Energy Improvements to Exeter Housing Authority Properties. Motion carried – all in favor.

**Motion:** A Motion was made by Selectman Chartrand and seconded by Vice Chair Clement to open the public hearing on Housing and Community Development Plan. Motion carried – all in favor.

Ms. Lane read the following:

Exeter has a Housing and Community Development Plan that was adopted in 2013. The HCDP plan, which outlines goals for the town, needs to be adopted every 3 years to be eligible to apply for CDBG funds.

We propose re-adopting the existing plan with the following change:

**Change from Goal:** The Town of Exeter should seek to promote an environment within which each resident can secure adequate affordable housing in safe, healthy and attractive neighborhoods. (Short-term and long term goal.) Change to **Goal** – The Town of Exeter should seek to promote a varied stock of safe, sanitary, decent and affordable housing for persons of all age and income groups. (Short-term and Long-term goal).

Mr. Dean said they will make sure this language gels with the Master Plan update.

Chairwoman Gilman called for public comment, of which there was none.

**Motion:** A Motion was made by Selectman Chartrand and seconded by Vice Chair Clement to close the public hearing on Housing and Community Development Plan. Motion carried – all in favor.

**Motion:** A Motion was made by Selectman Chartrand and seconded by Vice Chair Clement to open public hearing on Residential Antidisplacement and Relocation Assistance Plan. Motion carried – all in favor.

Ms. Lane read the following:

Although this project does not involve any displacement or relocation of persons (or businesses), if the Town were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated.

Chairwoman Gilman called for any public comment, of which there was none.

**Motion:** A Motion was made by Selectman Chartrand and seconded by Vice Chair Clement to close the public hearing on Residential Antidisplacement and Relocation Assistance Plan. Motion carried – all in favor.

**Motion:** A Motion was made by Vice Chair Clement and seconded by Selectman Chartrand that the Exeter Selectboard vote to adopt the Housing and Community Development Plan. Motion carried –all in favor.

**Motion:** A Motion was made by Vice Chair Clement and seconded by Selectman Chartrand that the Exeter Selectboard vote to adopt the Residential Antidisplacement and Relocation Assistance Plan. Motion carried – all in favor.

**Motion:** A Motion was made by Vice Chair Clement and seconded by Selectman Chartrand that the Exeter Selectmen vote to approve the submittal of the application and vote to authorize the Town Manager to sign and submit the application, and upon approval of the CDBG application, authorize the Town Manager to execute any documents which may be necessary to effectuate the CDBG contract and any amendments thereto. Motion carried – all in favor.

#### **iv) FY16 Budget & Warrant Articles**

Mr. Dean said there is a latest January 11 draft Warrant in the packet. There is also a comparison budget. The proposed FY16 budget is a 2.04% increase over FY15.

Vice Chair Clement asked if January 12 is the deadline for Citizen’s Petitions. Mr. Dean said yes, and that there are 8 total.

Chairwoman Gilman asked for comments from the Board on the Warrant Articles or budget.

Vice Chair Clement asked about the Warrant Article for the financial software. He said he is fine with the budget.

Selectwoman Surman asked if Article 23 passes, what would happen next. Chairwoman Gilman said this is the Petition for the Charter Commission, and if it passes then members of the Commission would be elected. They would need a Special Election to elect 9 members. Selectwoman Surman thought voters should know what would happen upon this Article's approval. Selectman Chartrand said the wording in the Article is how they chose to go with it. Vice Chair Clement said they typically put out a Warrant Article fact sheet and said maybe they could lay out specifics for Article 23 if it were to pass.

Mr. Dean said he has been thinking about the wording in the zoning Citizen's Petitions. He said they will clarify with rules.

Doreen Ravell, Finance Director, spoke about Article 16 for Financial Software. She said she has been asked to go back and find more information. She put together a PowerPoint with her findings. She came up with the top 15 reasons for the new software. The first was senior management at Harris Software has informed all Munismart customers that they are no longer investing money to many any major system improvements. These reasons were input by multiple different departments. The PowerPoint also showed a chart of the top 15 Towns by Population Using Munismart. Most of them show a plan to convert to another software system. The PowerPoint also shows a chart of quotes for different systems. The PowerPoint went on to show which Exeter Town Departments use financial management software and improvements afforded by a conversion.

Selectwoman Surman asked if the different systems are application or cloud based. Ms. Ravell said some are cloud based. Selectwoman Surman said she would be an advocate for cloud based. She asked Ms. Ravell if she has spoken with any of these groups listed. Ms. Ravell said she has seen three presentations. She said she saw Munis, BMSI, and Patriot Properties and is scheduling Blum Shapiro soon. She said the functionalities are very different.

Mr. Dean said Munismart cost \$65,000 and was purchased in 2008. He said the more functional the town's software is, the easier it will be to track things accurately.

Selectman Chartrand suggested just putting this in the Warrant Article so the town can get the software they need for the maximum amount of productivity.

Vice Chair Clement said he is reluctant to put this large number in the Warrant Article. He said he is still looking at what is best that will satisfy the town's needs at a lower cost.

Selectwoman Belanger asked if there is an interest rate on the four year lease. Ms. Ravell said there is one, and it is in the CIP packet. She said it is a very competitive rate. Mr. Dean said it is around 2.5%.

Chairwoman Gilman said she would like the ebill and credit card payment upgrades and asked Ms. Ravell to come back for the meeting on the 19<sup>th</sup> to answer any more questions.

Bob Kelly was present to speak about the Wastewater Treatment Facility funding. He said he has been to a lot of meetings talking about making the cost more palatable. However, he said the cost seems to keep rising. He said they are looking at around \$60 million now with all of the components. He proposed the idea of a joint meeting between the BOS and the Water/Sewer Advisory Committee to have a discussion about this. Chairwoman Gilman said she is interested in a joint meeting. Mr. Kelly said the next Water/Sewer Advisory Committee meeting is on Wednesday, January 13 at 6:30pm. Selectman Chartrand said he would be attending. Mr. Kelly said the focus of a joint meeting is to have a consensus as to what would be a reasonable way to go, instead of the Water/Sewer Advisory Committee just submitting something to the BOS. Vice Chair Clement said they need to have the actual language for the bond hearing. Chairwoman Gilman said she would see this as an informational meeting. Mr. Kelly said the W/S Committee is looking to have the BOS present to see if there are some alternative payment ideas. Mr. Kelly said otherwise he can put a sheet together for the BOS of the W/S Committee's discussions. He said he does have a PDF of the document that states the W/S Committee's position that he would send to Mr. Dean for distribution. Vice Chair Clement said this is a discussion that would need all of the BOS member's input and he is concerned about the January 13 W/S Committee's attendance. Selectwoman Belanger said she would attend as a citizen. Mr. Dean said he is concerned that if three BOS members were present and there was a decision made without the other two members, it may create an issue. Selectwoman Belanger said this would be an information meeting and she is not looking to make any decisions. Chairwoman Gilman suggested posting it as a joint meeting and there may or may not be a quorum. However, she said if the majority is there, there shouldn't be any consensus or decisions.

Vice Chair Clement said he is not in favor of anyone paying for this besides the ratepayers. He has a problem with people who are not on the system paying for the system. He said this meeting is being done very last minute and it is a process issue. He said they need precise language for the public hearing. Mr. Kelly said they did discuss this at the September meeting and the October meeting, but other issues have gotten in the way. He said he is worried that people will wake up and see the \$50 million number and wonder how it will get paid for.

Vice Chair Clement asked if they are giving people enough notice to attend this joint meeting. Selectman Chartrand suggested the meeting be posted as a Conversation Between Members of the BOS and Members of the Water/Sewer Advisory Committee.

Selectwoman Surman said this is huge and that they have never asked the non-ratepayers to pay. She said she does not want any voters coming back concerned. She would like more of the public to attend.

Chairwoman Gilman said they will go ahead and have the meeting. She said it will just be more opportunity for discussion and they will not be deciding anything.

#### **v) Collective Bargaining Cost Items**

Mr. Dean gave a handout to the Board. He said there are two bargaining cost items for consideration. He is asking the Board to recommend them. The Exeter Firefighters' Association would be a two year contract.

**Motion:** A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger that the Exeter BOS recommend approval of the Exeter Professional Firefighters' Association, Local 3491 for the years 2016 and 2017. Motion carried – all in favor.

Mr. Dean said the next is the union contract for DPW and said he will put it online. It is a one year contract with a 2.23% step mid-year. There is a vacation adjustment which would add 2.5 vacation days. Vice Chair Clement asked if the changes to the memo were reflected on the memo the Board received. Mr. Dean said it is not in the memo. Vice Chair Clement asked if there are any other changes to the contract. Mr. Dean said the layoff language, probation language, and employee's language has all been altered a bit, just by adding language. Chairwoman Gilman said they would move this forward until Tuesday's meeting.

#### **vi) Town Facilities Plan**

Chairwoman Gilman said they would next discuss the Town Facilities Plan which looks at all the buildings in town and the condition they are in and who is using them. She said they have come up with some observations and recommendations on what needs to be done and why. She had the idea of forming a Committee to who would analyze and make recommendations to the BOS. They would look at all the data collected to come up with a plan for the CIP, or the budget.

Vice Chair Clement said the Facilities Plan is a comprehensive report which is available online. He said it is a good analysis. He said this is going to come down to what the town is going to set for priorities. The costs for these projects are significant. He said he would like to get more input from the Board before they turn this over to a Facilities Committee.

Mr. Dean said his only input would be to recommend that whatever forum of advice the BOS takes from the Facilities Plan, that the Facilities Committee pay attention to the Plan as a baseline to make recommendations back to the BOS. He said they may need a work session on this.

**b. Old Business**

There was no Old Business.

**8. Regular Business**

**a. Tax, Water/Sewer Abatements & Exemptions**

**Motion:** A Motion was made by Selectwoman Belanger and seconded by Vice Chair Clement to approve abatement for map 26, lot 19 in the amount of \$1,356.18. Motion carried – all in favor.

**Motion:** A Motion was made by Selectwoman Belanger and seconded by Vice Chair Clement to approve abatement for map 55, lot 48 in the amount of \$51.08. Motion carried – all in favor.

**Motion:** A Motion was made by Selectwoman Belanger and seconded by Vice Chair Clement to approve abatement for map 27, lot 4 in the amount of \$377.99. Motion carried – all in favor.

**Motion:** A Motion was made by Selectwoman Belanger and seconded by Vice Chair Clement to approve abatement for map 33, lot 11 in the amount of \$222.20. Motion carried – all in favor.

**Motion:** A Motion was made by Selectwoman Belanger and seconded by Vice Chair Clement to approve abatement for map 80, lot 6, unit 8 in the amount of \$270.72. Motion carried – all in favor.

**Motion:** A Motion was made by Selectwoman Belanger and seconded by Vice Chair Clement to approve abatement for map 73, lot 189 in the amount of \$482.71. Motion carried – all in favor.

**Motion:** A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to approve a partial abatement for 43 West Side Drive in the amount of \$354.56. Motion carried – all in favor.

There is a memo in the packet from Mr. Dean that he recommend the town file for abatement to the town of Brentwood for two parcels of land that Exeter is being taxed for that

are situated in Brentwood. The parcels are no longer being used for flood control purposes and are exempt from property taxes under RSA 72:23. Mr. Dean said this has been reviewed by the town's assessors and they recommended submittal to Brentwood to see what they say.

**Motion:** A Motion was made by Selectman Chartrand and seconded by Vice Chair Clement that the Exeter BOS request abatement on two parcels of land which are situated in the abutting town of Brentwood on Pickpocket Road at tax map 220, lot 006 and tax map 220, lot 58. Motion carried –all in favor.

#### **b. Permits & Approvals**

A Motion was made by Selectman Chartrand and seconded by Selectwoman Surman to approve an application for use of the Town Hall and five parking spaces by Zach Carrier for a Cruz for President Town Hall Meeting on January 20, 2016 from 10am to 12:30 pm. Motion carried –all in favor.

A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to approve the application for use of the Town Hall by Kevin Myers for a NH Employment Security Job Fair on February 12, 2016 from 7am-3pm. Motion carried –all in favor.

#### **c. Town Manager's Report**

Mr. Dean spoke about the following for his Town Manager's Report:

- Met with the Town Moderator. He will meet with the BOS on the 25<sup>th</sup> to talk about elections
- HB1119 - allowing the town to raise the Local Option Fee up to a maximum of \$10
- Parks & Rec changes to the camp registration process, moving it from February to March
- The town had a CSO yesterday because of the rain
- Town reports are now due
- Mike Favreau said the Council of Aging is looking to give money back from their account to the Town.
- Received a proposal from St. Vincent De Paul
- Lieutenant Bob Irish is retiring. He wished him well and said his farewell party will be January 22 from 11am-1pm at the Fire Station.

#### **d. Selectmen's Committee Reports**

Selectman Chartrand reported an EEDC meeting tomorrow (1/12) at 830am.

Vice Chair Clement reported a River Study Committee meeting last Thursday where a NOAA grant was accepted and approved. He said Planning Board will meet this Thursday (1/14).

Selectwoman Belanger had no report.

Selectwoman Surman had no report.

Chairwoman Gilman reported HDC and Heritage Committee will be meeting soon.

#### **e. Correspondence**

The following correspondence were included in the packet:

- Legislative Bulletin
- Historic Commission Public Notice
- Planning Board Legal Notice and Agenda
- Letter from Primex about Property and Liability Coverage Improvements

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

The BOS will next meet on January 19 at 7pm for a Public Hearing.

#### **12. Adjournment**

A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to adjourn the meeting at 10:12pm. Motion carried –all in favor.

Respectfully submitted,

Nicole Piper, Recording Secretary