

**FINAL MINUTES**  
**BOARD OF SELECTMEN MEETING                      MINUTES**

**January 24, 2011**

**1.        Call Meeting to Order**

Chairwoman Julie Gilman convened the Board at 7:00 pm in the Nowak Room of the Town Office Building. Other members of the Board present were: Town Manager Russ Dean, Mr. Don Clement, Mr. Robert Aldrich and Mr. William Campbell. Mr. Quandt was absent.

**2.        Public Comment**

Ms. Renee O'Barton said she had issues with some 91a requests and expectations. The preamble of 91a says that openness in the context of public business is essential to a democratic society. She feels that some meeting minutes, particularly for cable committee meetings, have not been posted online in a timely manner. She would like the flow of information to be available and consistent so that the public can make informed decisions.

Mr. Clement responded that 91a does not require minutes to be available on line or in the Town Clerk's office. It states that they should be available at the place that the town does business. Meeting minutes should be available for the general public if they come in and request them. They are not required to be in a final format and can be handwritten. There seems to be confusion about posting minutes online and having them available. Mr. Clement feels that it is great to have them online, but points out that it is not a requirement. There are 19 or so different committees in town. They do the best they can but not all meeting minutes for all committee meetings are posted online.

Ms. O'Barton doesn't feel that it is right that some committee meeting minutes are posted online and others are not. Also some public notices are posted in the Foster's and others are in the Exeter Newsletter. She thinks this may be confusing for people. She requests continuity with the flow of information and public postings/legal notices. Mr. Dean said that Foster's is cheaper and Ms. Gilman said that Foster's is good because it is daily.

Mr. Jim Knight said that he attended the LGC presentation in July on RSA 91a procedures and record keeping. Detailed and accurate minutes are important and must be available during regular business hours. Historically these records have been kept in the Town Clerk's office.

Mr. Brian Griset said there is a coauthority statute related to RSA 91a that states that any document that is no longer in use should be kept and stored in the Town Clerk's office. The Town Clerk is the keeper of the records. Statutorily records should be with the Town Clerk unless an original document needs to be kept elsewhere for a critical need. Mr. Clement said that he respectfully disagrees with this. Mr. Griset said that he is still waiting on documents for previous 91a requests that he has made and he asks that the Board enforce compliance with 91a.

Mr. Alan Bailey asked if there would be opportunity to comment on specific warrant articles when they are discussed later on tonight's agenda. Ms. Gilman said yes.

**3.        Minutes & Proclamations**

**a. Regular Session Minutes of January 17, 2011**

**Mr. Campbell moved to approve the Regular Session Minutes of January 17, 2011 as presented. Mr. Aldrich seconded. Vote: Unanimous**

**4.        Appointments**

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**Mr. Aldrich moved to appoint Caroline Amport to the EDC for a term of 4 years to begin at the time of appointment. Mr. Campbell seconded. Vote: Unanimous**

**Mr. Clement moved to table the ZBA appointment for another week. Mr. Campbell seconded. Vote: 2-1 Mr. Aldrich opposed. Motion carries.**

**5. Departments Reports – None.**

**6. Discussion/Action Items**

**a. New Business**

**i. FY11 Budget & Warrant Articles**

Mr. Aldrich did a power point presentation on the 2011 draft warrant articles. The first eleven articles are zoning.

Article # 12 is the first of the bond articles. There are 4 bond articles which require a 3/5 vote for passage. Article # 12 was amended last week to 6.35 million dollars for the groundwater treatment facility at Gilman Park.

**Mr. Aldrich moved that the Board recommend this appropriation. Mr. Campbell seconded. Vote: Unanimous**

Article # 13 is the second of the bond articles. It is 2.9 million dollars for the Jady Hill area project. There is a note that 2.65 million dollars would come from sewer fees and \$ 250,000 from general taxation further to discussion at last week's meeting about adding this language.

**Mr. Aldrich moved that the Board recommend this bond article. Mr. Campbell seconded. Vote: Unanimous**

Article # 14 is \$ 750,000 for water meter replacement. Mr. Clement said that there is potentially about a 2 year payback on this. Mr. Aldrich said this is eligible for 30% forgiveness from the State. Mr. Campbell asked if wording could be added to the article regarding the 30% forgiveness and Mr. Dean said that he would look into it. Ms. Jennifer Perry confirmed that the water meter replacement project is eligible for 30% forgiveness by the SRF.

Mr. Alan Bailey of Green Street asked when the final warrant would be available and Mr. Aldrich said that it is required to be posted by next Monday.

**Mr. Aldrich moved that the Board recommend this bond article # 14. Mr. Campbell seconded. Vote: Unanimous**

Article # 15 is the last of the bond articles. It is for \$ 575,000 for the replacing of the culverts at Norris Brook.

**Mr. Aldrich moved that the Board recommend this bond article. Mr. Campbell seconded. Vote: Unanimous**

Article # 17 is the operating budget. Mr. Aldrich said that he has spent time with Selectmen Clement going through feedback that they received at the public hearing as well as emails from residents and Budget Committee members Mr. Thayer and Mr. Hamel. They have come up with a proposal to reduce the budget. It involves cuts to 11 different line items. The proposal is that the Board recommends an operating budget of \$ 20,163,648 which is a \$ 217,200 cut from the budget as it appears on the draft

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warrant. The proposal consists of the following: \$ 1,000 cut to HR, \$ 1,000 cut to electronic waste disposal, \$ 2,000 cut to Town Clerk record retention, \$ 50,000 cut to paving, \$ 10,000 cut to sidewalk repair, \$ 2,500 cut to parking lot maintenance, \$ 2,500 cut to paving, \$ 25,000 cut to capital outlay water treatment plant upgrades and a 6 month hiring freeze on 3 open positions in Police and DPW. This is a \$ 156,200 reduction in the General Fund, \$ 43,000 reduction in the Water Fund and \$ 18,000 reduction in the Sewer Fund. This gives a new General Fund total of \$ 16,140,187 which is an increase of \$ 117,043 over 2010 or an increase of .73%. It is about \$ 68,500 less than the default budget. New Water Fund total is \$ 2,198,681 and new Sewer Fund Total is \$ 1,824,780.

Mr. Clement said that a lot of work went into this and he felt that these cuts could be made without sacrificing too much. Mr. Aldrich noted that at this time next year they will see an automatic increase due to the 3 positions that only have a partial year salary this year. Ms. Gilman said that this was a lot of good work and is feasible.

**Mr. Aldrich moved that the Board amend the amount of the operating budget in Article # 17 to \$ 20,163,648. Mr. Campbell seconded. Vote: Unanimous**

**Mr. Aldrich moved that the Board recommends this appropriation as amended. Mr. Campbell seconded. Vote: Unanimous**

Article # 18 is to raise and appropriate \$ 354,200 for the purpose of purchasing the old train station baggage building. \$ 71,960 is the impact to general taxation.

**Mr. Aldrich moved that the Board recommend this appropriation. Mr. Campbell seconded. Vote: Unanimous**

Article # 19 is to see if the Town will authorize the Board of Selectmen to enter into a 7 year lease/purchase agreement for the purpose of lease purchasing a highway 6-wheel dump truck and a sidewalk tractor and to raise and appropriate \$ 51,776 for the first of 7 annual payments.

**Mr. Aldrich moved that the Board recommend this appropriation. Mr. Campbell seconded. Vote: Unanimous**

Mr. Alan Bailey requested that the wording of the article be amended to read that the lease purchase agreements shall contain an escape clause.

Article # 20 is to see if the Town will vote to authorize the Board of Selectmen to enter into a 5 year lease/purchase agreement for the purpose of purchasing SCBA equipment for the Fire Department and to raise and appropriate \$ 62,843 which is the first of 5 annual payments.

**Mr. Aldrich moved that the Board recommend this appropriation. Mr. Campbell seconded. Vote: Unanimous**

Article # 21 is to vote to raise and appropriate the sum of \$ 250,000 to be added to the town's paving budget for the purpose of paving town roads.

**Mr. Aldrich moved that the Board recommend this appropriation. Mr. Campbell seconded. Vote: Unanimous**

Article # 22 is to raise and appropriate the sum of \$ 147,000 for the purpose of completing the final phase of structural repairs and improvements to the brick exterior of Town Hall as recommended in the 2001 engineering report.

**Mr. Aldrich moved that the Board recommend this appropriation. Mr. Campbell seconded.**

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**Vote: 2-1 Mr. Clement opposed. Motion carries.**

Article # 23 is to raise and appropriate \$ 40,000 to pay for a portion of the purchase of the Rider Property for conservation purposes. The balance of the purchase will come from \$ 32,000 in proceeds from the Conservation Bond and \$ 13,000 from the Exeter Conservation Fund. Mr. Clement asked if the article wording should be changed to reflect that it is the purchase of an easement. Mr. Aldrich said he would change the wording and Mr. Dean will run it by DRA. Mr. Alan Bailey asked if this will deplete the bond and Mr. Aldrich said yes.

**Mr. Aldrich moved that the Board recommend this appropriation. Mr. Campbell seconded.**

**Vote: Unanimous**

Article # 24 is to see if the Town will vote to authorize the Board of Selectmen to enter into a 3 year lease/purchase agreement for the purchase of a utility dump truck for Public Works and to raise and appropriate \$ 20,329 which is the first of 3 annual payments.

**Mr. Aldrich moved that the Board recommend this appropriation. Mr. Campbell seconded.**

**Vote: Unanimous**

Mr. Campbell asked if wording can be added to Article # 19 to indicate that the purchase of the 6 wheel dump truck and sidewalk tractor are also for Public Works. Mr. Dean said that yes it can be added.

Article # 25 is to see if the Town will vote to raise and appropriate \$ 37,000 for the purpose of replacing the roof, demolishing the silo connector and making repairs to the barn opening at the Raynes Barn on Newfields Road.

Mr. Clement said that he thinks that replacing the roof is extremely important. He would like to have seen different priorities in their spending so that all of the costs of these repairs did not have to be in the warrant article. Mr. Campbell asked if the breakdown of cost for the different repairs is known. Mr. Aldrich said that the bulk of it is for the roof which is around \$ 29,000. There are concerns with the siding as well.

**Mr. Aldrich moved that the Board recommend this appropriation. Mr. Campbell seconded.**

**Vote: 2-0 Mr. Clement abstained.**

Article # 26 is to raise and appropriate \$ 21,695 for the support of 7 Human Service agencies.

**Mr. Aldrich moved that the Board recommend this appropriation. Mr. Campbell seconded.**

**Vote: Unanimous**

Article # 27 is the RSA regarding 41:14:a authorizing the Board of Selectmen to convey real property provided statutory requirements are met after consultation with the planning board and conservation commission and after two duly noticed public hearings. Mr. Alan Bailey suggested a wording change and Mr. Dean said that he would check with legal counsel. No vote is needed as this article does not involve any money.

Article # 28 is to see if the Town will vote to increase the current motor vehicle local option fee from \$ 2.50 to \$ 4.00 to fund transportation services for senior and disable residents and transportation needs consistent with RSA 261:153 VI. Mr. Campbell was concerned that the last information he saw on this from the Transportation Committee would indicate that going to \$ 4.00 would give them a surplus instead of just meeting costs.

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Mr. Don Woodward, local Transportation Committee Chairman, said that this program has grown three-fold since its inception. It is very popular and is running out of funding. They have been working on how to better coordinate services and get more people in the same vehicle. However, costs are going up.

Mr. Campbell said that an increase to \$ 3.00 would not quite cover expenses for the year plus the deficit, while \$3.50 would leave about a \$ 6,000 surplus and \$ 4.00 would leave almost \$ 19,000 in surplus. Mr. Aldrich expressed concern that many other human service agencies were level funded and if this was still lumped in with the other agencies as it used to be this discussion would not even be occurring. Mr. Campbell suggested amending it to \$ 3.25.

Mr. Jim Knight commented that he feels this is a great service, but it is not means-tested and he asked why this was the case. He recently registered a couple of vehicles and it is getting expensive when all of the fees and surcharges are added up. People who can afford to take a taxi or who can otherwise arrange transportation on their own should do so and this would free up resources for others.

Don Woodward said that the local option fee is a tax deductible business expense. Donations are requested but not demanded. The idea is to provide affordable transportation services for seniors. Mr. Clement felt that it might be rather difficult to means test people.

**Mr. Aldrich moved to delete this Article # 28 from the warrant in light of the fact that all of the other human service agencies were level funded in order to treat everyone fairly. There was no second. Motion fails.**

**Mr. Campbell moved to amend the local option fee from \$ 4.00 to \$ 3.25. Mr. Clement seconded. Vote: 2-1 Mr. Aldrich opposed. Motion carries.**

Don Woodward thanked the Board for recommending the article and said that they will endeavor to find additional funding sources.

The rest of the warrant articles are citizen's petitions. Article # 29 is the establishment of the Budget Committee and Article # 30 is the members to be elected to the Budget Committee. Article # 31 is the establishment of the Water and Sewer Advisory Committee and Article # 32 is the members to be elected to the Water and Sewer Advisory Committee. Article # 33 is cable access fee funding and # 34 would establish the Highway Improvement Fund.

Article # 35 has an appropriation in it. It is on petition of Darius Thompson and others to raise and appropriate \$ 5,000 to defray the expense of the annual Exeter Holiday Christmas Parade. Mr. Dean clarified that the \$ 5,000 would be additional to the \$ 2,500 already in the budget for the Christmas Parade.

Mr. Jim Knight came forward to applaud the Board for working to reduce the budget. He regrets that Mr. Quandt is not here this evening to share some of his proposed cuts that may have been helpful

Mr. Campbell asked why the increase in funding for the Exeter Holiday Christmas Parade was needed. Mr. Dean said that the bands and other costs have gone up over the years and funding has been flat for awhile. Mr. Clement said it is a wonderful community event that is well attended and he would like to keep it going.

**Mr. Clement motioned to support Article # 35. Mr. Aldrich seconded. Vote: Unanimous**

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### **ii. Contract approval – Wright Pierce Jady Hill Consulting Services**

Ms. Gilman said that the Jady Hill utility project was put out for qualification based selections. Seven firms were interviewed by Public Works. DPW is recommending that Wright-Pierce Consulting Services design the project at a cost of \$ 343,000.

Ms. Perry said that this is for the design of the Jady Hill project which is a phase project to be done this year based on the passage back in March 2010 of the 1.6 million water and 1.05 million sewer line replacement bond articles. If the vote in March 2011 is successful, this would also include the 2.9 million for the inflow and infiltration. Mr. Campbell asked what would happen if this year's warrant article were to fail. Ms. Perry said that they would still move forward with the other phase of the project. The design is being done for the entire project including the 2.9 million I/I portion. If the warrant article fails, then there would be a design project ready to go for the I/I portion once funded at a later date.

Ms. Renee O'Barton asked if last year's water and sewer bond articles were specifically earmarked for Jady Hill. Ms. Perry said no. Last year's articles did not specify areas. The discussion talked about them being for the highest need areas and Jady Hill is one of these. Ms. O'Barton said that it is her understanding that if the 2 million from last year's bonds is invested in Jady Hill without the I and I portion there will only be about a 20% improvement. Ms. Perry said this is correct. Ms. O'Barton then asked if this year's warrant article fails if the Town wouldn't be better off using the 2 million somewhere else that might yield a larger improvement for the money. Mr. Clement said that some of the roadwork already done would then be wasted. Ms. Perry said that the Jady Hill needs are not just about sewer. According to the Fire Department, they have substandard water flow which is a major problem. She said that they can make sewer improvements without the 2.9 million I/I portion without duplicating efforts. Jady Hill is a top priority and there is a real need for water main replacements.

Don Woodward asked which parts of the system are included in the administrative order to fix under DES regulations. Ms. Perry said that the order speaks to minimizing and ultimately eliminating the CSO's and does not specifically state certain areas. The Town's approach is to target the worst areas.

**Mr. Clement moved to accept the RFP consulting services for Jady Hill area utility replacements from Wright Pierce as stated. Mr. Aldrich seconded. Mr. Aldrich amended the motion to include authorizing the Town Manager to sign the contract. Mr. Clement accepted the amendment. Mr. Aldrich seconded. Vote: Unanimous**

### **b. Old Business**

#### **i. None**

## **7. Regular Business**

### **a. Bid Openings**

Mr. Clement announced that there were 2 bids to be opened for the 1984 Fire Engine. Ms. Gilman opened the bids. The first was from the Town of Denmark, Maine for \$ 14,200. The second bid was from Asian Auto Services of Plaistow, NH for \$ 2,632.12.

**Mr. Aldrich moved to award the bid for the fire engine to the Town of Denmark, Maine in the amount of \$ 14,200. Mr. Campbell seconded. Vote: Unanimous**

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

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### **a. Accounts Payable and Payroll Manifests**

**Mr. Clement moved to approve an accounts payable warrant for 2011 expenses for checks dated 01/21/2011 in the amount of \$ 118,623.53. Mr. Aldrich seconded. Big Ticket Items: \$ 10,000 to LNMHA LLC for dues, \$ 23,000 to Northern New England Passenger Rail for liability insurance and \$ 31,942 to the Treasurer for the State of New Hampshire for a debt payment. Vote: Unanimous**

**Mr. Clement moved to approve an accounts payable warrant for 2010 expenses for checks dated 01/21/2011 in the amount of \$ 9,722.28. Mr. Aldrich seconded. Big Ticket Item: \$7,000.00 to Altek services Vote: Unanimous**

**Mr. Clement moved to approve a payroll warrant for week ending 1/16/2011 for checks dated 1/19/2011 for \$ 170,297.01. Mr. Aldrich seconded. Vote: Unanimous**

### **c. Budget Updates**

Mr. Aldrich asked Mr. Dean if they are close to finishing the 2010 closeout and having some final numbers. Mr. Dean said that Finance is working on it.

### **d. Tax Abatements & Exemptions**

**Mr. Clement moved that the Board approve a Veteran's Credit for Map 68, Lot 6-142 in the amount of \$ 500.00. Mr. Aldrich seconded. Vote: Unanimous**

**Mr. Clement moved that the Board deny the Veteran's Credit for Map 101, Lot 25. Mr. Aldrich seconded. Vote: Unanimous**

**Mr. Clement moved that the Board deny abatements for Map 63, Lot 94 and Map 72, Lot 182. Mr. Aldrich seconded. Vote: Unanimous**

**Mr. Clement moved that the Board approve a refund abatement for Map 90, Lot 18-24 in the amount of \$ 86.14 plus interest. Mr. Aldrich seconded. Vote: Unanimous**

**Mr. Clement moved that the Board approve a refund abatement for Map 70, Lot 135 in the amount of \$ 487.28 plus interest. Mr. Aldrich seconded. Vote: Unanimous**

**Mr. Clement moved that the Board approve a refund abatement for Map 62, Lot 105 in the amount of \$ 223.95 plus interest. Mr. Aldrich seconded. Vote: Unanimous**

**Mr. Clement moved that the Board approve a refund abatement for Map 74, Lot 90 in the amount of \$ 157.50 plus interest. Mr. Aldrich seconded. Vote: Unanimous**

**Mr. Clement moved to table the 3 refund abatements for Map 73, Lot 294-4 and Map 73, Lot 294 and Map 19, Lot 3 for a week. Mr. Campbell seconded. Vote: Unanimous**

**Mr. Clement moved that the Board approve a refund abatement for Map 104, Lot 71 in the amount of \$ 199.34 plus interest. Mr. Aldrich seconded. Vote: Unanimous**

**Mr. Clement moved that the Board approve a refund abatement for Map 71, Lot 107 in the amount of \$ 2,716.94 plus interest. Mr. Aldrich seconded. Vote: Unanimous**

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### **e. Water/Sewer Abatements**

### **f. Permits**

Ms. Gilman said that there are two permit requests from the Exeter Garden Club for use of the Town Hall on Saturday, March 26<sup>th</sup> and Saturday, April 30<sup>th</sup>.

**Mr. Aldrich moved to approve the permits as presented with the fee waivers. Mr. Clement seconded. Vote: Unanimous**

### **g. Town Manager's report**

Mr. Dean said that things are in good shape for the use of the Talbot Gym for the town election this year. He knows that the Selectmen are working on their annual reports and he is also working hard on his. Mr. Dean was at the Local Government Center on Friday for a monthly meeting. Exeter is encouraged to re-invigorate the tri-town legislation delegation with Stratham and North Hampton. Mr. Aldrich said that Exeter should take the lead on this if needed. He thinks it is good to continue the relationship.

### **h. Legislative Update - None**

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

Ms. Gilman wanted to remind everyone of the event at the Lincoln Street school on Wednesday about the train station area. People can come at 6:30 pm for coffee and desserts. The presentation starts at 7:00 pm. The last HDC meeting was shut down due to lack of quorum.

Mr. Clement's meetings for the past 2 weeks have been snowed out so he has nothing to report.

Mr. Aldrich said that there is a trail subcommittee for the Conservation Commission meeting tomorrow at the Town offices. The Arts Committee has switched their meetings from the 3<sup>rd</sup> Thursday of the month to the 4<sup>th</sup> Thursday.

Mr. Campbell had nothing to report.

### **j. Correspondence - None**

### **8. Review Board Calendar**

The next regular Board of Selectmen meeting will be Monday, January 31st at 7:00 pm.

### **9. Non Public Session – None**

### **10. Adjournment**

Mr. Aldrich moved to adjourn at 8:33 pm. Mr. Campbell seconded. Vote: Unanimous

Respectfully submitted,

Jennifer Mancinelli  
Recording Secretary