BOARD OF SELECTMEN MEETING

MINUTES

June 20, 2011

1. Call Meeting to Order

Chairman Robert Aldrich convened the Board at 7:00 pm in the Nowak Room of the Town Office Building. Other members of the Board present were: Selectman Matt Quandt, Selectwoman Julie Gilman, Selectman Don Clement and Town Manager Russ Dean. Selectman Frank Ferraro was not in attendance.

2. Public Comment

Renee O'Barton commented on water and sewer issues. She read the wording of a motion made by the Board during the May 2nd meeting when they voted on how far to back bill the water and sewer accounts in need of corrective billings. She believes that there are math errors on some of the corrective bills that have been sent out and has emailed data to all of the Selectmen about this. She provided details on what she considers some of the most egregious errors. Ms. O'Barton would like someone to take another look at these bills and make sure all of the calculations are correct, especially since the Town is already forgiving amounts owed that are over 2 years old. Rate payers who have been dutifully paying their bills properly have been subsidizing these other accounts.

3. Minutes & Proclamations

a. Regular Session Minutes of June 13, 2011

Ms. Gilman moved to approve the Regular Session Minutes of June 13, 2011 as presented. Mr. Quandt seconded. Vote: 3-0 Mr. Clement abstained.

b. Non Public Session Minutes of June 6, 2011

The Board will review these in their Non Public Session later on this evening.

4. Appointments - None

5. Departments Reports – Town Clerk, Assessing, Finance

Town Clerk Linda Hartson reported that revenue taken into the Town Clerk's office through the end of May 2011 is \$892,000. This figure does not include the money that they take in for the State. They are up approximately \$15,000 over this same time period last year. To date they have licensed 1,900 dogs. The warrant that recently went to the Animal Control Officer showed 445 dogs still unlicensed.

Their lobby has had lengthy lines some days because they have been short staffed lately. She wanted to thank the residents who have been very patient. The clerks are being put on hold when they call the Municipal Agent's desk in Concord for assistance with any State motor vehicle issues. The State DMV has laid off staff and had a lot of sickness and had to move people around. The State has also instituted a new phone system which answers calls in the order in which they are received. Consequently one clerk might be caller # 9 and another caller # 11 and must wait their turn on hold. If they hang up they go back to the bottom of the order. This is very frustrating for the clerks as well as the customers. The State is aware of this and right now there is nothing else that they can do.

The Automobile Dealer Registration Bill, SB-156, did pass and the Governor signed it on June 15th. At the Clerk's Regional Meeting a few weeks ago, they were told that if this should pass the State would be initiating training for the dealers who are definitely interested in this program. They are going to set up

a PILOT program for a group of chosen auto dealers. This program will also include State MV people, as well as clerks and staff from a few cities and towns. The dealers have to be trained in the many aspects of vehicle registration before the program can be offered State-wide. The Town Clerk's office has received phone calls from personnel from a couple of the dealers in the Seacoast area asking questions about vehicle registrations. They have advised these callers that they are agents of the State and not at liberty to discuss these issues.

July registration renewal notices have not yet been mailed out and they are starting to take phone calls from residents about this. Currently the State budget bill reads that the motor vehicle registration surcharge that was put into effect in 2009 will end July 1, 2011. This reduction will apply to automobiles and trucks, as well as to transfer fees, motorcycles and trailers. Transfer fees will go from \$25 back to \$10, motorcycle fees will go from \$25 to \$15 and trailer fees will be reduced according to the gross weight. The State fees on automobiles depend on your vehicle weight and these fees will also go down. They have not sent out renewal notices because if they go out and people start coming in with the money they can't accept the State portion. There is still the possibility of change because the bill has not yet been signed by the Governor. The Town Clerk's office is ready to implement these changes and the software company has already made the necessary changes. They just need the final word before they can go ahead and mail out the renewal notices.

Ms. Hartson made an executive decision and ordered the ballots for the July 12th Special Town Meeting. The ballots have been received and so far they have mailed out 67 Absentee ballots. All but 15 have gone to Riverwoods. The Checklist purge has been done. The Town now has 9,455 registered voters. There were over 900 voters that were purged. They can go back on at any time as soon as they reregister to vote. State regulations say that the Town must have one booth for every 150 registered voters and this works out to 63 booths. They are fine as they have 75 booths. The booths will be set up in the Talbot Gym on Monday, July 11th. They have requested the assistance of fewer ballot clerks than normal, but still have to meet State regulations and be prepared in case a majority of registered voters turn out to exercise their voting right.

Regarding another election issue, SB-129 regarding Voter ID, Ms.Hartson said that to date this bill has been enrolled, but they have not heard what the Governor will do about this bill. They know that he has some very valid concerns about the provisional ballots, as do the Town Clerks. The Secretary of State is very strongly against passage of this bill. The end result is that SB-129 will not have any effect at all on the July 12th Special Town meeting, but will most likely affect the November Presidential Election.

Ms. Gilman asked Ms. Hartson to talk about the provisional ballots. Ms. Hartson explained the process involved with provisional ballots that would be used when voters do not have ID. They would be given a provisional ballot which would be left with the moderator. They would then have 3 days to get a proper ID and return to the Town Clerk's office to be checked off the list. After the 3 days have passed, the Town Clerks would hand count the provisional ballots of those who had returned with proper ID and send the amended count to the Secretary of State. Ms. Hartson said that this process would pose hassles with recounts and she believes it would disenfranchise a lot of the voters who will probably not return with proper ID. It would also be costly.

John DeVittori, Town Assessor, reported that the first half tax bills have been mailed and are due on July 1st. Their office continues to process monthly deeds and work on the sales ratio study. Currently they are approximately 102% of market value as of April 1st. This means that everyone is overvalued by about 2%. Field work for building permits is ongoing. All of this building adds to the 1.7 billion dollar tax base that Exeter has.

Mr. DeVittori read the list of Exeter's top ten principal taxpayers for 2010. Starting with the biggest, they are in order as follows: Riverwoods Co, Phillips Exeter Academy, Exeter Hospital & Subsidiaries, Unitil Energy Systems & Subsidiaries, Berkshire Life Insurance (The Mill Apartments), King Chevrolet & Olds Co (Stop & Shop Supermarket), Brooks Properties (1 Hampton Rd), First Altex Realty, REL Commons and Osram Sylvania.

Doreen Ravell, Finance Director, reported that they have billed out first half property taxes in the total amount of \$18,277,560. Property tax bills are due on July 1st. After that date they will be assessed a 12% annual interest rate. Since this time last year there has been a 40% decrease (equal to \$401,886) in property taxes due to the Town from the years 2006 through 2009, which is pretty significant. Currently the receivables balance is \$16,324,667. They should take in the majority of that within the next 2 weeks so they are going to be extremely busy in the tax office. She reminded residents that there is a drop box by the sidewalk in front of the Town Office if they are just dropping off payments and want to avoid the lines. They are typically at a 90 to 95 % collection rate by the time July 1st rolls around.

Regarding water and sewer receivables comparatively from last year to this year, accounts receivables over 60 days made up 50% of the total as of December 31, 2010 versus 32 % now. They still have water and sewer receivables outstanding from 2008, 2009 and 2010. One percent is from 2008, six percent is from 2009 and 16% is from 2010. The majority of these accounts are on payment plans. They work with DPW to enforce shutoffs if necessary.

As far as General Fund revenue, they have billed or taken in 46% of estimated revenue due to the Town as of June 17, 2011. To date they have refunded \$ 64,000 in property taxes and abated \$ 93,000. They have a reserve of \$ 150, 000 for tax abatements. Interest income is at an all time low of \$ 5,400. Water revenue is 50% collected from the projection and sewer revenue is at 58%. They have billed or collected 48% of budgeted revenues for all funds to date. As far as expenditures as of May 31st, the General Fund has spent \$ 6,618,196 which is 41% spent. The Water Fund is 38 % spent and the Sewer Fund is 35% spent.

6. Discussion/Action Items

- a. New Business
 - i. Pine Road Posting Brentwood

Town of Brentwood Selectman Jeffrey Bryan, Selectwoman Jane Byrne and Selectman Mike Hubbard were present to discuss the Pine Road posting. Mr. Bryan pointed out several issues they had with the recent posting of Pine Road. He said that it really does create an issue on the other end. The intersection was not designed for truck traffic. It is not wide enough for large trucks and trailers and is a direct 90 degree turn right or left. It is very difficult to make turns and large trucks with trailers end up having to go about two thirds into the roadway in order to make the turn. The road posting will also mean that no full size school busses are allowed as they are 13 tons. Mr. Bryan said that they were present in order to try to work something out and that they are open to suggestions because to send 300 trucks down the other end of Pine Road is going to be a serious problem for everyone. There are also over 300 employees on businesses on Pine Road.

Chairman Aldrich said that they don't disagree as they have similar problems with the intersection on the Exeter end. Exeter recently spent over \$ 100,000 repairing Pine Road and bringing it up to the point it is at today. Approximately \$ 20,000 of that was due to the truck traffic. The Exeter Board of Selectmen wants to protect Exeter's investment. Exeter's Highway Superintendent has already noticed

some damage to the road caused by truck traffic. Exeter's Board of Selectmen approached Brentwood's Board of Selectmen last year in an attempt to work something out ahead of time with regard to Pine Road but did not get any support from them at that time. Brentwood did place a warrant article on their ballot this year asking voters to approve giving Exeter some funding reimbursement for the repairs. The article was not recommended by the Brentwood Selectmen and it failed, so the Town of Brentwood is not able to financially assist Exeter with Pine Road repairs at this time. They can, however, agree to trade some services.

Brentwood Selectmen Jeff Bryan proposed an agreement where the Town of Brentwood takes care of the plowing and maintenance on Exeter's portion of Pine Road. They could have their mutual town attorney draw up a contract to this effect if Exeter was agreeable to this suggestion. Mr. Bryan said that the business owners on Pine Road had the money raised last year, but were concerned that if they paid the money once they might be asked to continue to pay in the future. Mr. Aldrich said that Exeter is willing to maintain the road as a residential road, but not as an industrial road since none of the industry that the truck traffic comes from is in Exeter. Mr. Clement would like to see a resolution to this that takes care of the current problem (Exeter is owed about \$20,000) as well as solving the problem for some years into the future.

There was discussion about Brentwood's proposal and possibilities as to how the two towns could work together on this issue. Mr. Jay Perkins commented on the issues of wear and tear on Pine Road. He said that the geometry of the intersection with Route 101 is not equipped for truck traffic. There is a super elevation on a curve and an inadequate radius for turning. The state road needs to be re-done, but it doesn't appear that this will happen any time soon. Mr. Quandt felt that there was a need to have a discussion about safety issues. Mr. Dean sought to clarify whether or not the \$ 20,000 would still be available from Pine Road business owners. Mr. Bryan said he would communicate with the business owners to check on this.

Ms. Renee O'Barton expressed concerns about Attorney Mitchell representing both towns as it would seem to be a conflict of interest. Chairman Aldrich said that Attorney Mitchell would most likely say the same thing. Don Woodward said that RSA 230a is a statute that allows towns to plan out their highways and this may be the statute that enables towns to get together and come to an agreement about the design of the road and its functions.

It was decided that the next step would be to have a meeting with two representatives from each Board. The goal of the meeting is to form a proposal that would be brought back to each full Board for consideration and approval. Ms. Gilman and Mr. Ferraro will be the designated representatives from Exeter. Brentwood's Board meets tomorrow night and will designate their representatives at that time and get back to Exeter to schedule the meeting toward the end of the week. Chairman Aldrich said that Exeter will hold off on putting up the signs on Pine Road until at least after the first meeting.

ii. CDBG Application: Exeter Hampton MHP

Angela Romeo, Organizational Trainer at the New Hampshire Community Loan Fund and Jeannie Wright, Treasurer of the Board of Directors for the Exeter Hampton Cooperative, were present to request Board support for a CDBG application in the amount of \$500,000 for replacement of water and sewer lines throughout Exeter Hampton Mobile Home Park. Jeannie Wright, who is also a resident of the park, said that they have a big problem with their water and sewer lines. They've been told by several plumbers that they have a type of piping that is like a type of cardboard that is past its shelf life. They have constant leaks and ongoing issues with unaccounted for water losses. There are roots growing into the lines in many places. They are requesting Board support to move forward with their

application for CDBG funding for a project to replace all of their main water and sewer lines as well as the access lines to each unit. They have been very successful with a local financial institution in putting together a financial package that will allow them to match the funding.

Mr. Dean gave a brief description about the CDBG Program. In the past this program has been used with great success to assist with projects such as the Meeting Place and feasibility studies on water and sewer issues. The Town acts as an agent and takes in the funds and then disburses them out. It is a way to get funding for infrastructure improvements. If the Board is willing to move forward in support of this, they will need to schedule 3 public hearings before July 25th. These public hearings can be scheduled consecutively on the same day.

The Board of Selectmen agreed by general consensus to support this CDBG application. The 3 required public hearings will be scheduled consecutively for the evening of July 11th. Angelo Romeo said that the Cooperative would prefer to use Donna Lane to be the grant writer and administrator for this as long as that is OK with the Board. Mr. Dean said that Donna Lane has done good work in the past and he would recommend her provided she meets all of the necessary criteria for this. There were no objections from any of the Board members.

iii. 2012 Budget Goals

Chairman Aldrich said that this is an initial conversation about giving some direction to the Town Manager and department heads about the next fiscal year's budget. Mr. Dean said that last year they started out with a request for a level service budget. He asked how the Board wants to approach the 2012 process. Mr. Dean said that the retirement issue will likely have a big impact on the 2012 budget. The legislature decided this week to fund a piece of retirement out of savings in the retirement reform. This means that there will be an adjusted rate for July 1 which they will receive shortly. The idea was that the savings in retirement reform would bring down the rates enough on the employer side to help them absorb the loss of the 25% in State contributions. Health insurance is also a major item. They get their rating for health insurance in October so there is no final number until then. Mr. Quandt said that the Governor vetoed the retirement bill and it is likely to be up in the air for most of the summer.

Mr. Clement would like there to be a consensus among the Board members as to what is expected so that they are all working together toward the same objective. He would like to know the expected revenues before deciding on whether to pursue a budget that is level funded, level service or with a certain percentage increase...etc. Mr. Dean said that the end of July would be a reasonable time to expect a revenue expectation. Chairman Aldrich said that they can start to build some of the default budget in the meantime. The Budget Committee has scheduled their first meeting for July 20th.

iv. MOA: Food Service Establishments

Health Officer and Assistant Fire Chief Ken Berkenbush was present to request the Board's signature on the Memorandum of Agreement between the Town and DHHS. It is a renewal of the Town's self inspection for food service licensing. This agreement comes up for renewal every three years. They have been doing this since 1998. To date this year they have collected \$ 17,894.

Mr. Quandt moved that the Board of Selectmen approve the MOA between the Town and the DHHS regarding local delegation of food service establishment inspections and licensing. Mr. Clement seconded. Vote: Unanimous

b. Old Business

i. Department Goals

Mr. Dean distributed a revised listing of department goals to the Board members. A couple of months back they asked the departments to provide a list of their goals and now they currently have a more consolidated version of those goals. He asked that the Board members review this revised department goal listing and give their feedback on it. There was a brief discussion about department goals. One of the observations that Mr. Dean has is that it would appear that some departments have too many goals. Basic mission is also interesting as different departments emphasize different things. Mr. Clement commented that goals must be measurable.

ii. DPW – Jady Hill Project Update

Paul Vlasich, Town Engineer, was present to provide an update on the Jady Hill Project. He advised that he met with the Water & Sewer Advisory Committee on June 8th. Mr. Vlasich handed out a schematic of the Jady Hill area to the Board members with color coded utility lines. The schematic illustrates which part of the project they have the funding for (Phase I) and which part they do not have the money for (Phase II). Phase I will be constructed this year. Phase II will be part of the CIP process this year.

Phase I will utilize the monies approved for water and sewer replacement in the 2010 warrant. The 2010 warrant articles for water line and sewer line replacement were for 1.6 million and 1.05 million, respectively. The design for this is about 70% complete right now. They are going to try to have a neighborhood meeting soon for the construction portion of the project. They will not be talking about the private I/I portion at this neighborhood meeting. Phase I would replace about 5,500 linear feet of water lines and 1,500 linear feet of sewer lines, as indicated on the color coded schematic. Phase I also includes a steel sleeve water line replacement under the railroad tracks on Summer Street. DPW expects this project to be out to bid next month. They would like to have the neighborhood meeting in July to get some input before the project goes out to bid.

The engineers are also working on the design for Phase II and have some things yet to be worked out. They are trying to tackle all of the private I/I sources. DPW needs to talk with the Water & Sewer Advisory Committee about the amount of inflow and infiltration removal, the concept of how they are removing these and how to move forward. Eventually the discussion will involve the Selectmen also and they will need to know if there is any possibility of financial contribution on the Town's side for private I/I sources. The CIP write up for Phase II contains 3,550 feet of sewer line replacement, 2,850 feet of drain lines to be constructed for mitigation of I/I and 1,050 feet of drain line replacement. When the budget impact is broken down, \$ 608,000 is for the relief drains and \$ 500,000 is for private work on sewer services.

Ms. Gilman said that she is frequently asked by residents when the Town digs up streets if it would be possible to install conduit systems for electric and telephone lines at the same time. Mr. Vlasich said that they would have to go through the utility's design for that and the Town would have to finance 100% of the cost. Mr. Aldrich asked if there would be patchwork done following this Jady Hill project or full paving. Mr. Vlasich said that most of it would be followed by patchwork because there are other utilities that they are going to have to go back in for later.

iii. Sign Ordinance Update

Discussion on this was postponed as Mr. Ferraro was not present. Mr. Ferraro, along with Doug Eastman, did the research for the sign ordinance update. There will be an ordinance hearing for this on July 11th.

iv. Personnel Plan Update

Donna Cisewski, Human Resources Director and Town Manager Russ Dean were present to hear the Board's comments and feedback on the proposed Personnel Plan update. The process will then be for Ms. Cisewski and Mr. Dean to take all of the feedback, go through it and bring it back before the Personnel Plan Committee again for review and revision. After that it would then go back before the Board of Selectmen one more time.

The Board had a lengthy discussion about the proposed Personnel Plan update. Ms. Gilman questioned the rationale for allowing part-time employees to earn vacation time. Ms. Cisewski said that they want to be able to retain good long term employees and thought it was a nice additional benefit. Mr. Aldrich said that it recognizes that there are several part time positions with regularly scheduled hours that will not likely become full time positions any time soon. The part time employee would have to work a regular schedule and be working at least 20 hours per week to qualify for this benefit. Mr. Dean said that there are probably about 12 to 15 employees over all of the departments that would fall into this category. There would be no additional cost for this benefit unless a paid replacement was required to cover the absence.

Mr. Clement asked what the additional cost to taxpayers would be if all recommended changes were implemented. He said that he feels it is very important that the Town try to attract and retain the very best possible employees as they are crucial to a well-functioning town. On the other hand they have to draw a line as to what is reasonable in terms of the kinds of benefits they offer. Mr. Clement went through some hypothetical examples to illustrate the amounts of time employees currently are eligible to receive.

The update would add Civil Rights Day as another official holiday and allow sick leave banking to increase from 120 days to 180 days. There is also a provision where an employee could trade in 3 sick days for one vacation day for up to 5 vacation days per year if the employee has at least 10 sick days in his/her bank. Chairman Aldrich said that contract employees in many cases have significantly better benefits than the supervisors who oversee them.

Several Board members expressed concern about adding Civil Rights Day as another holiday. It would increase the costs to taxpayers. Donna Cisewski said that one of the reasons for this is that the State is closed that day and it is difficult for the Town Clerks to be up and running when the State is not.

Chairman Aldrich said that there are several components involved here: 1) The Personnel Plan is out of date and they want to make it current. 2) There are several union contracts in Town with significantly better benefits for their employees that their department heads don't have 3) They have comparables from surrounding towns.

It was suggested that personal time should also be required to be used in 4 hour increments. Ms. Gilman pointed out that the computer policy doesn't address software distribution. Employees should be made aware of licensing restrictions and be advised that they cannot add any unapproved software. Mr. Clement was not in favor of adding another holiday and felt that the sick time / vacation time trade in was a little over the top. He would like to better understand offering vacation time for part time employees and see the formula for this. The current policy for inclement weather and Town closure was discussed and it was pointed out that this was not fully captured in the update.

Board members were advised to forward any additional comments and suggestions to Donna Cisewski by the end of the week preferably via email so she can begin to revise the current document and

continue to move forward with this process.

7. Regular Business

- a. Bid Openings None
- b. A/P and Payroll Manifests
 - a. Accounts Payable and Payroll Manifests

Mr. Aldrich moved to approve a weekly payroll warrant for checks dated 6/15/2011 in the amount of \$ 154,871.62. Mr. Quandt seconded. Vote: Unanimous

Mr. Aldrich moved to approve an accounts payable warrant for checks dated 6/17/2011 in the amount of \$ 273,315.34. Mr. Quandt seconded. Big Ticket Items: \$ 225,000 for health insurance. Vote: Unanimous

- c. Budget Updates None
- d. Tax Abatements & Exemptions

Mr. Aldrich moved to approve a Timber Tax for Map 70, Lot 101 & 103 and Map 66, Lot 1 in the amount of \$ 391.70. Mr. Quandt seconded. Vote: Unanimous

Mr. Aldrich moved to approve a warrant for collection of Jeopardy Tax for Map 104, Lot 79-702 in the amount of \$ 305.17. Mr. Quandt seconded. Vote: Unanimous

e. Water/Sewer Abatements

Mr. Dean said that these abatements were reviewed by the Water & Sewer Advisory Committee which recommended denial of all of them for various reasons.

Ms. Gilman moved to deny abatements for 9 Cullen Way and 65 Park Street. Mr. Clement seconded. Vote: Unanimous

Mr. Clement moved to grant abatement in the amount of \$ 128.11 for C14 Exeter & Hampton Mobile Home Park on 40 Hampton Road. Mr. Ouandt seconded. Vote: Unanimous

- f. Permits None
- g. Town Manager's report

Mr. Dean reminded everyone that the special election for the culverts is coming up on Tuesday, July 12th. Voting is at the Talbot Gym on Linden Street from 7 am until 8 pm. There are two new ice cream businesses in Town that he encourages people to check out. Mr. Dean is going on vacation and will be back on July 1st.

- h. Legislative Update None
- i. Selectmen's Committee Reports

Selectman Quandt had nothing to report.

Selectman Aldrich said that there was a Conservation Commission meeting last week. They are working hard on boundary markings and maintenance at the Raynes Farm and the new Raynes Farm trail is almost complete. National Trail Day was a success. The Arts Committee meets this Thursday.

Selectwoman Gilman said that the HDC met last week in the Wheelwright Room of the Town Office Building. They approved the solar installation. The Heritage Commission has a demolition review.

Selectman Clement was on vacation last week and had nothing to report.

j. Correspondence

- 1. Memo from the Town Manager and copies of emails back and forth with Mr. Alan Bailey about questions regarding the Town Hall streams video
- 2. Email from a resident on Front Street asking the Board to look into the possibility of making Mill Street a one way road
 - 3. Letter from the Department of Environmental Services regarding the Rivers Program
- 4. Letter from Congressman Frank Guinta's office thanking us for allowing them to use a room at the Exeter Town Office to hold office hours with a representative from Congressman Guinta's office on July 7th

Mr. Dean will forward the email regarding Mill Street to Police, Fire and Public Works.

8. Review Board Calendar

There will be no regular Board of Selectmen meeting next week or on July 4th. The next regular Board of Selectmen meeting will be Monday, July 11th at 7:00 pm. They will tentatively plan to have a short special meeting on July 5th at 9:30 am.

9. Non Public Session

Mr. Quandt motioned to go into Non Public Session under RSA 91A for consideration of legal matters. Ms. Gilman seconded.

Selectman Aldrich called the roll. Selectman Quandt: aye; Selectwoman Gilman: aye; Selectman Clement: aye; Selectman Aldrich: aye.

10. Adjournment

The Board emerged from Non Public Session and stood adjourned at 9:30 pm.

Respectfully submitted,

Jennifer Mancinelli Recording Secretary