

1. Call Meeting to Order

Chairman Matt Quandt convened The Board at 7:00 pm in the Nowak Room of the Town Office Building. Other members present were Selectman Frank Ferraro, Vice Chairman Don Clement, Selectman Dan Chartrand, Selectwoman Julie Gilman and Town Manager, Russ Dean.

2. Public Comment -

Don Woodward, Exeter Resident comes forward to extend an offer to the Board of Selectmen to carpool to the LGC Meeting he is planning to attend on June 9, 2012.

3. Minutes & Proclamations**a. Proclamation: National Public Works Week May 20-26, 2012**

Selectman Dan Chartrand presents a proclamation to Jennifer Perry, Director of Public Works. He offers his recognition of the services provided by Public Works. He expresses his gratitude of the efficiency and dedication of the Public Works personnel. He commends their performance and reminds the Board that the services of this Department are depended upon greatly by the community as a whole. He offers his appreciation to the vital contributions Public Works makes every day to the public health, safety and comfort of all of the community. He proclaims the week of May 20, 2012 through May 26, 2012 to be National Public Works Week.

b. Regular Meeting: April 23, 2012

Mr. Clement moves to change page 4 under the heading of appointments to reflect Ms. Gilman's appointment of John Markel with the correct spelling of "Markle". Mr. Ferraro moves to change page 6, under permits in the first paragraph, second sentence. The sentence should reflect, "He reminds the board that two years ago (insert) and again last year, there was some confusion in regards to signage. He wishes to strike "At the time he" and insert "Mr. Ferraro." He also wishes to change Swasey Park to Swasey Parkway.

Mr. Chartrand moves to accept the minutes reflecting the changes of Mr. Clement and Mr. Ferraro. Ms. Gilman Seconds. Vote: Unanimous

c. Special Meeting: May 2, 2012

Mr. Ferraro asks for clarification on the second page, second line. The sentence indicates Mr. Chartrand asks for the street sweeper issue be brought before The Board for disposition. He wonders if this item has been added to the agenda. Chairman Quandt indicates it will be added to the agenda in two weeks.

Mr. Chartrand moves to accept the minutes as presented. Mr. Clement Seconds. Vote: Unanimous. Mr. Ferraro abstains.

4. Appointments – Arts Committee, Historic District Commission

Mr. Clement moves to reappoint Jane Kiernan to the Arts Committee with a term to expire April 30, 2015. Ms. Gilman Seconds. Vote: Unanimous

Mr. Clement moves to reappoint Darius Thompson to the Technical Committee with a term to expire April 30, 2015. Ms. Gilman Seconds. Vote: Unanimous

Mr. Clement moves to appoint Patrick Gordon to the Historic District Commission, as an alternate, with a term to expire April 30, 2013. Ms. Gilman Seconds. Vote: Unanimous.

5. Discussion / Action Items**a. New Business****i. Sportsman's Club Annual Report**

Butch York, the President of the Exeter Sportsman's Club presents a summary of the status of the club. He offers a short summary of his presidential qualifications as a retired executive who has retired and been drafted to the Presidency of the Sportsman's Club. He first wishes to summarize the efforts of the Club regarding sound mitigation. The National Rifle Association (NRA) has accepted the new design and will be presented to the Planning Board shortly. The requirements

set forth are that the new design must contain sound and projectiles. The Club has conducted and test and found the new design does contain the heaviest round that is fired at the club. He summarizes the intent of the Club, if the design is approved, to build the first twenty-five yards. The purpose of the first twenty-five yards is to verify that the new design materials will in fact mitigate the sound. The sound must be reduced by 10 decibels. He explains that 10 decibels to an average person will be equivalent to a sound reduction of about half. The neighbors will notice quite an effect because 80% of the firing occurs twenty-five yards from the backstop. Many of the members only shoot hand guns until it's closer to hunting season when it's common for rifles to be sighted in.

He offers a summary of the Club efforts to provide Safety Training. The Club currently offers basic safety training to any member of the community for a cost of \$30, for a three hour course. The Club provides all the firearms and ammunition and any other materials they may need. The courses are very popular and availability is posted on The Club's sign. The "Women's only" course for handguns fills up very rapidly creating a wait list in many cases. The Club intends to increase the number of firearms instructors that will be NRA Certified. The Safety Training also includes a hunter safety training course. Training has been completed for twenty individuals from the community. The State only allows twenty applicants to each course in hunter safety training. On June 10, the State of NH will begin training ten additional firearms instructors. The Club will then be able to provide four to six hunter safety courses per season.

Mr. York comments on the progress of the annual fishing derby, indicating it is on May 12, 2012. This event is very popular with the junior citizens of the community and is sponsored by The Club and other community businesses and the State of NH. The water works pond is stocked for this event and it has proved popular and successful in past years. Mr. York also advises The Board of the joint efforts between the Club, UNH and the Boy Scouts Association. Together the organizations are partnering to offer rifle shooting instruction to the local ROTC Cadets. Members of the US Air Force are no longer provided with firearms and ammunition. Lt. Col. Tesserman has requested the participation of the Club in this education. The Club is providing instructors for three local troops to assist the Scouts in earning Merit Badges. In cooperation with the Apple Seed Project, the Club will turn the shooting range over to complete the instruction with the local PEA students.

Ms. Gilman questions the location of the sound attenuation. Mr. York indicates it is on the right side of the range. The other side has been secured with a dirt bump with one remaining gap that needs to be filled. On the south (pond) side, the barrier will run the entire 100 yard length. There will be a wall, six inches thick with peat gravel. These stones of various sizes provide rough irregular surfaces in which to disperse the sound waves. The wall will be eight feet high, 100 yards long and six inches thick. It has been fired at, at point blank range with the heaviest weapon allowed to be fired at the Club. The wall was not penetrated. The Club has met with several of the neighbors and offered to allow them to come and preview the new design. Mr. Clement wonders if The Club requires or has a permit from the Planning Board. Mr. York advises that according to his lease, any changes to the property have to be approved by the Planning Board. He advises that the drawings of the specs are available and the Club will seek approval from the Planning Board soon. In Mr. York's opinion, the only controversial party may be the need to provide twelve feet of space to service the back spot. This could require the removal of four to six trees but this is still to be determined.

ii. 1 Hampton Way Sign Request

Eric Cimon, of Access Sports Medicine presents to discuss the sign for Access Sports Medicine. Mr. Cimon apologizes that Dr. Siegel couldn't be present for the meeting but he is prepared to discuss the intent and requests on behalf of Access. Mr. Cimon has met with the Town Manager, Russ Dean and he wishes to discuss the possibility of a license agreement to move the sign and put it on the right of way. He has brought a letter from the property owner, Brooks Properties regarding all efforts they are prepared to offer in order to secure the license agreement, including a stipulation that at any time, the Town of Exeter can request the sign be removed at the cost of Access Medicine. He hopes this is a reasonable solution that satisfies both parties.

Mr. Ferraro is still opposed to the sign being placed in the public right of way. He feels it may set a precedent for future businesses. He reminds The Board that there are currently excess parking spaces on the property that were discussed the last time Access came before this Board. He feels if Brooks Properties isn't willing to utilize one parking space to accommodate the Access sign, the Town of Exeter should not allow the sign to be placed in the public way. Mr. Cimon advises that the idea of the parking space has been explored. He feels the most practical space for a sign would be straight out, but moving the sign to a parking space in the current lot has been explored and it was determined the sign would then be virtually invisible. Mr. Cimon notes that the parking area is largely used during the regular business hours by the businesses and clients of the companies in the building. On the weekends the lot is used as an over flow lot for

many Town residents to attend Town events. In order for the sign to be visible in a parking space, the surrounding four spaces would also need to be designated and would then be non functional. Mr. Cimon has also explored the idea of applying for a variance to lift the sign up into the air to allow for better recognition. He confirms the most practical space for a sign would be in the right of way. Mr. Ferraro expresses his concern. He points out that Access has been renting the space from Brooks Properties for fifteen years with the sign where it is. He questions the motive to needing a sign in a new place now. He expresses his opposition to a one year license. He would prefer the agreement indicate that at any time, without cause, the Town of Exeter can require Access remove the sign. Mr. Cimon reminds him that this clause is in the agreement he has submitted.

Mr. Chartrand expresses his favoritism of this idea. At a time when the Town is driving for more economic development and increasing the non residential property value, he feels the Town of Exeter needs to be business friendly. He feels the Town needs to be good neighbors to businesses who are good neighbors to the Town. The lot is recognized as an overflow lot for the swimming pool on the weekends. Mr. Chartrand is emphatic that the Town needs to work with the businesses that work with the Town. He further points out that the agreement does have the clause that the sign can be removed at any time, without cause.

Chairman Quandt reminds The Board that licenses of this nature have been issued to other establishments such as Provident Bank, The ATM, and the hot dog vendor. He does not feel allowing this license would be setting a new precedent. Mr. Clement asks Mr. Dean if Town Counsel has reviewed the agreement. Mr. Dean advises they have not. The intent was to get feedback from the Board of Selectman prior to sending it to Counsel for review. Mr. Clement recognizes the license would be renewed annually and wishes to know what the procedure for this renewal would be. Mr. Dean indicates this would be a license agreement with The Board. If the intent is to bring this license back annually for review, than the tenant or property owner will need to do so. The regular sign fee is an annual \$25.00. Ms. Gilman questions the annual fee and inquires its designation, as opposed to a long term fee. Mr. Dean indicates this would be a combination between a license and a sign fee.

Chairman Quandt calls for wishes of The Board. Mr. Clement would feel more comfortable sending the agreement to Town Counsel prior to approval, for review.

Mr. Clement moves to approve the agreement, pending review by Town Counsel. Mr. Chartrand Seconds, for discussion.

Mr. Ferraro expresses his concern at the mechanism of approval pending review. He feels if the agreement is going to be submitted for Counsel review, then it should be reviewed and represented to the Board at that time. **Mr. Clement withdraws his motion. Mr. Chartrand withdraws his second.**

Mr. Clement moves to send the agreement to Counsel for review and comment or changes be brought back to The Board. Ms. Gilman Seconds.

Mr. Ferraro calls upon Jennifer Perry, Public Works director to establish the opinion of Public Works on this issue. Ms. Perry refers to a brief memo written to the Town Manager expressing Public Works concerns with any signage in the right of way. The DPW does not have any additional suggestions for this matter. It is her opinion that any signage in the right of way is a concern for setting precedent and this is a very unique situation.

The Board voted unanimously in favor of the motion. Mr. Ferraro abstained.

iii. AIM Representatives Festival Planning

Julie Tiebout, director of the American Independence Museum comes forward to speak to the issue of collecting donations in an effort to help offset some of the cost of the festival. She reminds The Board that July 21st will be the twenty-second year of this festival. Ms. Tiebout points out that the festival brings thousands of people to the Town for the event. Specifically, the battle re-enactment. As the grounds of the Museum cannot accommodate the space required for the re-enactment, the Museum utilizes the space of Swasey Parkway. In her opinion, it's the most popular event of the festival, closely followed by the Museums drafts of the US Constitution. Ms. Tebow advises The Board that the battle itself costs approximately \$5,100.00. A few years ago, it was decided by the Museum to begin charging admission to the Museum grounds. She feels the Museum, partnered with other local businesses, does its best efforts to provide an exciting and educational experience. This festival is Exeter's time to shine. The festival is followed by fireworks and the Recreation Department also provides a concert. Ms. Tiebout indicates the keyword in this entire summary is donation.

She feels the signs they are presenting are clear that there is no requirement of anyone to donate money to be on the Parkway and enjoy the battle. There is a \$6.00 admission fee to observe anything on the Museum grounds, but it is clear there is no admission fee for the festival experience on the Parkway itself. The Museum volunteers will plan to collect donations in a respectful manner. The mechanism of accepting donations on the Parkway is specifically designed to offset the cost. Ms. Tiebout is hopeful The Board will approve of the Museum exercising the collection efforts again this year.

Allison Field, of the Board of the Governors of the Museum, comes forward to speak to the issue of donations. She indicates she has, in previous years, sat at the donation table. In her experience, there are many other functions performed and services offered in addition to collecting donations. Information is provided, directions, suggestions and things of that nature. While admission fees are required for any festivities on the grounds of the Museum, she also feels it is clear that there is no admission fee to the Parkway or any festivities at that location. There is only the suggestion of a donation to support the battle. Ms. Field reminds the Board that there are many businesses that utilize the Parkway, throughout the year, for profit. She feels it's inconsistent that this nonprofit organization should not be allowed to have the same opportunity. She expresses her concern that disallowing the Museum the same opportunity may prevent the Museum from reenacting the battle in future years.

Gerry Hamel, Swasey Park Trustee, comes forward to speak to the issue of donation request. He believes all of the Trustee members feel as though donation requests are acceptable, so long as they are managed and handled properly. There should be no barricades or bars preventing people from coming in. There is no desire to have the community or visitors feel pressured to offer donations. The Trustee's wish that the donation requests are not made to look mandatory. Ms. Gilman advises The Board that she is on the Committee for organizing the festival.

Mr. Ferraro expresses his support of the Museum and what they do with the festival and agrees it does make Exeter shine as a community. His concerns are in the wording on the signs and advertisements. In past years, he has been confused, and spoken with community members who were also confused in how the sign wording ties the Museum grounds and the Parkway together. Mr. Ferraro feels the Museum has the authority to charge an admission fee for the grounds, but feels there needs to be no confusing about the cost to be on the Parkway. He advises the Museum to separate the concept of admission and donations.

Mr. Chartrand speaks to the level of importance the festival brings to the vitality of the Town. He feels the Museum, under the leadership of Carol Aten in 1991, made an enormous difference. The development of the summer program of PEA also contributes. Mr. Chartrand reminds the Board that various entities in the community strive to build the community. He reflects that first, it was the Independence Festival. He expresses his gratitude to the Museum and all of the volunteers for their efforts. Mr. Chartrand believes this is true economic development for this Town.

Allison Field inquires if the Board of Selectman has the authority and exercises that authority to define the language of signage for all profit and nonprofit organizations. She is concerned that people, in general, have short attention spans. Diluting or confusing the language is possible, but unlikely. She feels the requirement of isolating language in a way that pleases the Board of Selectman is unique, as other nonprofit organizations are not asked to do this. Ms. Field reminds the Board of the record of tenure and responsibility of the Museum and this festival. She asks the Board to be very clear, concise and specific in the language requirements. Mr. Clement agrees that the festival is unique to the Town of Exeter and it is part of the historic presence of the Town. As a Board, he feels they need to do what is necessary to keep supporting this event as it can be very difficult to raise money for festivals such as this. He speaks to Ms. Field's comment of Selectman defining language. As a Selectman, he does not wish to define the language and does not feel this is what the Board should be trying to do. He admits his first experience with the donation table, a few years ago, was confusing. He reflects that he asked about the donation at the table and it was explained to him, clearly, that there was no admission fee for any events on Swasey Parkway but donations were being accepted. The admission fee was strictly for festivities on the Museum grounds. Mr. Clement advises he does not wish to get into the business of defining the language of donations. To Ms. Field's comment, he does not want to define language, it's not what we should be doing here as a board. He reminds the Board that many of the groups who seek permits and utilize the Bandstand collect donations. He reflects on the Exeter Fire Department's annual boot collection as an example.

Stephanie Hewson, Festival Coordinator comes forward with a draft of the sign. It clearly indicates the Swasey Parkway events are free, but donations are appreciative. Mr. Ferraro indicates he is satisfied with the changes the Museum has made to the language of the signs.

iv. PEA: Crosswalk Presentation

Jeff Nelson, Director of Campus Safety at Phillips Exeter Academy Services presents the intent of PEA to pilot a new state of the art cross walk design. Mr. Nelson, as with many community members, has great concerns regarding the crosswalks in the Downtown Exeter area. Specifically those utilized by the student body of PEA on a daily basis. There is no method of record keeping that can provide specific data to reflect how many incidents there have been regarding pedestrians over the years. He can report that there have been 279 identified entries in the PEA Campus Safety Services office since 2007. These incidents are all crosswalk related and have been logged at PEA. Mr. Nelson advises the Board that safety education is stressed to the student body at PEA as a first line of defense for these types of incidents. Mr. Nelson has met with Police Chief Kane and Jennifer Perry, Director of Public Works. As a collaborative effort, they have devised a design to pilot a state of the art update to a crosswalk that has exhibited signs of being problematic. Mr. Nelson acknowledges that pedestrians have some responsibility in safety when crossing a road. He feels as though drivers are not currently properly clued into the presence of the crosswalks. The current signs are old and faded and the beacon lights are relatively high and for the most part, out of sight. The lights are not LED or strobe and the lights are also old and faded. PEA is presenting an update to the lighting and signage. Mr. Nelson summarizes the first type of sign as a stand up sign such as a traffic pole or traffic control device. PEA would like to introduce signs that are more decorative with LED lights around the perimeter of the sign. The second devices would be devices in ground. They would also be LED and multidirectional. These in ground devices sit flush with the roadway and are beveled so as not to impede plowing or collection of sand or salt. It is undecided if the alert mechanism for these new safety alerts will be press button or not. The in ground devices have the capacity to be self adjusting and can be fine tuned including programming light adjustment. Mr. Nelson explains that the second page of the proposal is a possible layout for a new crosswalk. He explains that twenty-five to thirty yards from the crosswalk would be the advance warning sign. The sign would be LED and there would be a secondary warning sign right at the crosswalk. The bollards would be set up, again without decision of push button or pass through motion detected. The crosswalks themselves wouldn't need to change, with an exception or two. The primary changes would be the signage and lighting. The in ground LED devices would be the only physical changes to the crosswalks. Mr. Nelson addresses the immediate obvious concerns of snow removal, material wear, and light adjustment. He points out, again that the devices are flush to the roadway and will not obstruct the blade of a plow. The devices are made of stainless steel making them rust resistant and weather resistant over the course of time. Light adjustments can be made manually including a possible frame to keep the LED on the upright signs directed forward as opposed to the sides. Chief Cane asks if a group of pedestrians passes through the bollard, in the event of motion detection, and then passes through the second set as they approach the other side of the street, would it reset. Mr. Nelson indicates the entire system can be fine tuned to prevent that.

Mr. Ferraro is concerned that the pass through type, in consideration of the age group of this student body population, might make (the students) less concerned about safety and pass through expecting someone driving to stop. He feels the push button bollard is a better solution. Mr. Ferraro also feels that training will need to be performed the PEA populations. As the local community drivers get used to them, they may not see the lights and keep driving. He believes seeing those lights begin to flash may grab the attention of drivers. This proposal is not for a stop light, but rather an advance warning light to alert drivers that there may be pedestrians in the crosswalk ahead. Mr. Nelson proposes PEA be allowed to start with the cross walk on Front Street as a pilot to test the mechanisms. This crosswalk is frequently used by students and faculty. Mr. Nelson confirms this would be the crosswalk on the way to the library.

Mr. Clement comments that many of the students pass through the current crosswalks without stopping. In his opinion, they're not paying much attention and any system that requires attention on their part would be good for their education and awareness. He also feels the signs need upgrading. It's confirmed that the inroad devices will be used as part of this pilot. Mr. Clement wonders if the pilot is successful, is it the intention of PEA to upgrade all of the crosswalks around the academy. Mr. Nelson confirms that this is the intent if the pilot is successful and proves to be worth the investment. Mr. Nelson indicates the Front Street location was chosen because there is a problem with off-road construction at the location. The crosswalk starts in a driveway and needs to be moved over to straighten the crosswalk, make it separate and distinct of the driveway.

Mr. Chartrand expresses his support of this upgrade. He feels as though local drivers are fairly well educated to the student population in the community. Much of the road net is traveled by out of town drivers who may not be aware of the student population. He feels that one injury or life lost is one too many. Mr. Clement calls upon Jennifer Perry, Public Works Director, to comment on the in road devices.

Ms. Perry first expresses her gratitude to Mr. Nelson and PEA. She reflects that Mr. Nelson has been very

BOARD OF SELECTMEN
DRAFT MINUTES

BOARD OF SELECTMEN

MAY 7, 2012

accommodating and has appeared at the DPW and the Exeter Police Department to respond to all questions and concerns presented to him. She acknowledges that he has been willing to look into the additional data requests that she has asked for. The uniform traffic control devices manual has been reviewed and researched. While she admits she has no personal experience with the devices, she has spoken with the vendor and the vendor has. She has been advised that these devices have been successfully installed in heavy snow areas. She expresses her desire to see this proposal succeed and is happy to support and recommend it. Mr. Ferraro expresses his opinion that the in ground lights only activate when the button is pressed as an essential for success as it's possible the signs can be blocked by one factor or another. Mr. Nelson indicates he has sought the approval of the Board of Selectman prior to asking a civil engineer to evaluate the chosen location. Mr. Dean indicates the Board need not make any motions; the objective of this was for discussion purposes. Mr. Ferraro suggests a vote anyway.

Mr. Ferraro moves to allow Mr. Nelson to work with the DPW and EPD to start a pilot on the crosswalk suggested. Ms. Gilman Seconds. Vote: Unanimous.

At the suggestion of Ms. Perry, Mr. Nelson agrees to come back to the Board to report on the pilot after a year.

v. Health Grants – Fire Department

Assistant Fire Chief Berkenbush presents the annual grant of the Public Health Network in the amount of \$87,500.00. The purpose of the grant is to provide All Health Hazards Planning for the Town of Exeter and 23 other communities. This grant will fund the salary of Mary Cook, Coordinator of the program whom also handles the coordination for CERT and MedReserve CERT Teams. This grant is for health related emergency planning.

Mr. Ferraro moves to accept the grant from Public Health Network as presented. Mr. Chartrand Seconds. Vote: Unanimous

Assistant Fire Chief Berkenbush presents the final two grant presentations as a combined grant. The grant is in the amount of \$10,000.00. There are currently two checks, one for \$5,000.00 and one for \$2,500.00 from the Citizens Corps and will be utilized to train volunteer and medical reserve volunteers to help local communities in the event of natural disasters. Another class for training of these volunteers is underway and at its commencement there will be a cumulative total of fifty volunteers in the Exeter region. Mr. Chartrand asks him to clarify the total number and total amount of the grants. Mr. Berkenbush indicates there are only two grants, totaling \$10,000 paid incrementally.

Mr. Chartrand moves to accept the grant from the Citizens Corps in the amount of \$10,000.00 Mr. Clement Seconds. Vote: Unanimous

Assistant Chief Berkenbush updates the Board on the grant from Assistance to Firefighters, previously discussed, for the sprinklers in the Safety Complex. The final requirement has been met, and the Board can expect to see an RFP shortly. He also updates the Board on the first quarterly ambulance report. He reports the Medicare reimbursement numbers have been reviewed and are compatible, in comparison, to those of 2011 and 2012. He further reports that secondary insurances will not remit payment until Medicare or Medicaid remit so the figures will increase as those secondary carriers being making payments.

vi. Fire Training Fund – Fire Department

Exeter Fire Chief Comeau presents a grant that was given to the Department of Safety for fire fighter training. The statewide grant totals approximately \$4.4 million dollars. Chief Comeau asks the Board allow the department to take part in some of this training, utilizing a portion of this State wide grant. He proposes a line item be built into the budget to begin the training. He expects the estimated cost to be \$50,000 to \$90,000 in additional training between now and November 1, 2012. The line item would initially cover the expense of the training and the grant would reimburse the fund. Chief Comeau advises the State Priority Training has been authorized by the Director of the NH Firefighter Academy. He explains that a firefighter attending training can be covered for up to ten hours of back fill with no cost to the community and the grant also includes reimbursement for overtime rates and all associated earned income taxes. Firefighters from other communities are available to stand in for any Exeter Firefighters in a classroom. Chief Comeau advises there are seventeen Exeter Firefighters enrolled currently. If twenty of the twenty-five firefighters take one of the classes, the financial impact would initially be approximately \$90,000. Mr. Dean further identifies this grant as a once in a lifetime opportunity in which many other communities in the state are participating. It is highly publicized and these

are funds that would not normally be available.

Mr. Ferraro expresses his support of additional training for firefighters. He advises Chief Comeau that the budget was established for the Town by the voters in March. The budget would need appropriated line items. Chief Comeau reminds the Board of the line for FEMA. In a disaster, expenditures are made from the FEMA line and reimbursed, essentially causing a wash. Mr. Ferraro advises that the Board cannot exceed the appropriation total. Funds can be shifted, but the appropriation total cannot be exceeded.

Mr. Dean reminds the Board that this would fall under the statute on unanticipated revenue, RSA 31-95-b. As grant funds become available the Board of Selectmen would expend from the unexpected revenue to cover the cost of the training. This is like most grants that are reimbursed to the Town. He further explains the reimbursement will come gradually. Mr. Clement reflects on situations of past in which monies have been shifted for scenarios such as these.

Mr. Ferraro expresses his point again; the expenditures cannot exceed the appropriation. Mr. Dean reflects on historical experience for similar circumstances in which the funds were put up in the budget up front, and the reimbursement was later applied to the account. He is confident that as these are how these types are grants are made, it's not an increase in the budget or an increase in expenditure. It would be accounted for separately and specific to this program. Mr. Ferraro indicates that he would prefer to have the Town Counsel give a legal memo on the RSA that allows the Board to expend in this manner. Mr. Chartrand asks Chief Comeau if this is a time sensitive request. Chief Comeau indicates now is the time to act. Any unused funds from this grant in November have to be returned to the State.

Mr. Chartrand moves to accept the grant funds pending a legal memo from Town Counsel. Mr. Clement Seconds for discussion.

Mr. Dean clarifies that these funds are in fact a grant, for Mr. Clement.

Mr. Chartrand amends his motion. He moves to accept the grant pending Town Counsel opinion of Mr. Ferraro's concerns. Mr. Clement amends his second. Vote: Unanimous

vii. NH Bond Bank Documents

Mr. Dean presents the three items relating to the NH Bond Bank Documents. He advises the Board that the resolution must be read in order to satisfy the requirement of public disclosure. The actual loan agreement is present for review from the Board. The Loan Agreement is for the Jady Hill Phase 2 project, Norris Brook Culvert project and the Wastewater Treatment plant Design. Mr. Dean reports the third part in the packet as a newer requirement. The counsel of the Bond Bank has required the Town of Exeter adopt a Policy and Procedure for tax exempt obligations. He summarizes the requirement as the IRS ensuring the Town of Exeter is not borrowing money to make money. This includes a clause indicating the Town agrees to disclose any financial information if requested by the IRS to prove the funds are spent with due diligence and are not held onto for any longer than is necessary. Mr. Dean notes that the \$4,700,000 on the documents' first page is a typo and should read \$3,650,000.

Mr. Clement moves to approve the Bond reflective of a change from \$4,700,000 to \$3,650,000.

Mr. Chartrand reads the certificate of approval in its entirety for public record.

Mr. Ferraro seconds Mr. Clement's motion. Vote: Unanimous.

Mr. Clement moves to approve the tax compliance policy and procedure. Ms. Gilman Seconds. Vote: Unanimous.

viii. Conservation Easement: 191 Epping Road

Mr. Dean reports the Conservation easement for 191 Epping Road has been reviewed by Town Counsel. This easement was negotiated as a part of the Mobil on the Run project. He advises the Board they must vote to approve the easement, as it is currently only recommended. Mr. Dean explains the easement was a requirement of DES between the owners and DES and the final language was never really finalized or legalized. In 2011 Global came to initiate a drive through at Mobile on the Run. The finalization of the easement is part of the negotiations for that project.

Mr. Clement moves that the Board of Selectman accept the conservation easement deed as presented for the plot of land on map 40, lot 11. Mr. Chartrand Seconds. Vote: Unanimous

b. Old Business

i. Private I and I Program: Discussion

Mr. Dean reports that all of the questions from the previous discussion of this topic have been forwarded to Town Counsel and have not been returned as of yet. He believes they should be available for the next meeting.

ii. Board / Committee Policy 89-19 and 92-13 Updates

Chairman Quandt advises the Board the revised policies are presented in the packet for review. He requests a motion to approve the amended policies. Mr. Chartrand reflects on a conversation he had with a committee volunteer. In discussing these policies, the volunteer cautioned Mr. Chartrand not to make the work of volunteers too onerous. The volunteer felt as though making it difficult to serve in long term positions could drive potentially interested community members from participating on a Committee. Chairman Quandt believes these policies to be pretty standard and reminds the Board they are subject to reconsideration later on if necessary.

Mr. Clement expresses his concern regarding policy 89-19. He feels uncomfortable using the phrase "shall be subject to" and wants the verbiage changed to "may be subject to." He feels this gives the member an opportunity to stay on the committee under the circumstances that the committee does not decide to remove them. Mr. Ferraro feels that if the word "may" shall be used, a process for attendance accountability needs to be put in place that would alert the Board if a member does not attend. The Board would only take action at the point of report from the Chair of Committee indicating the member is not meeting the obligation of 40%.

Mr. Chartrand moves to accept policy 2012-01 with the following amendment to #7, strike the word "shall" and insert the word "may." Ms. Gilman Seconds. Vote: In favor, Mr. Clement, Mr. Chartrand and Ms. Gilman. Opposed. Mr. Ferraro. Motion Carries.

Mr. Clement moves to accept policy 2012-02 as presented. Mr. Ferraro Seconds. Vote: Unanimous

6. Regular Business

a. Bid Openings – Sidewalk Tractor

Chairman Quandt reads the two sealed bids for the sidewalk tractor. A bid from Chadwick and Barrows, Inc. of Concord, NH for \$137,800 for the vehicle and all side implements. A bid from Howard and Fairfield for \$139,500 including a trade. Mr. Ferraro asks Ms. Perry to confirm the amount approved for this project, and if the bids include the snow blower and or plow attachment. Ms. Perry confirms the attachments are included and she believes the budget for this purchase to be \$147,000.

Mr. Clement moves to refer the bids to DPW and Town Manager for consideration and approval. Ms. Gilman Seconds. Vote: Unanimous.

b. A/P and Payroll Manifests

Mr. Chartrand moves to approve an accounts payable warrant for checks dated May 4, 2012 in the amount of \$9,00.00. Ms. Gilman Seconds. Vote: Unanimous

Mr. Chartrand moves to approve an accounts payable warrant for checks dated May 4, 2012 in the amount of \$168,833.31. Ms. Gilman Seconds. Vote: Unanimous

Mr. Chartrand moves to approve a weekly payroll warrant for checks dated May 2, 2012 in the amount of \$162,948.03. Ms. Gilman Seconds. Vote: Unanimous

c. Budget Updates – None

d. Tax Abatements & Exemptions – None

e. Water / Sewer Abatements – None**f. Permits**

A permit request from Taoist Tai Chi Society to use the Town Hall for their annual workshop on September 8, and September 9, 2012 from 9:30 am to 5:30 pm.

Mr. Chartrand moves to approve the permit request of Taoist Tai Chi Society. Ms. Gilman Seconds. Vote: Unanimous

Mr. Dean offers a Town Hall report indicating Seacoast Idol has reserved the Town Hall as a rain shelter from May 7th through the 10th. The Oyster River Players have finished their concert. The Amare Cantare associated with the Oyster River Players is this Friday night from 5 to 10pm. There are Seacoast Idol auditions on May 12th and 13th. He reports that next week there will be musical arts recitals and the Rockingham Planning Commission has sponsored a bike to work day on May 18th. The Hat Madness Donut sale will be Saturday morning.

g. Town Manager's Report

Mr. Dean would like to report that the State of NH is doing some grading work on Brentwood Road and also on Court Street. The shoulders are being graded and the Town has no jurisdiction for these improvements. Mr. Dean also reports he attended a municipal administration and finance committee meeting last Friday in Concord. This was a policy discussion forum around policy initiatives submitted by various communities including Mr. Ferraro's submittal regarding responsibility for snow removal on public ways. There was discussion on whether municipals need to be plowing sidewalks and it's been defined as an inherited responsibility from a Supreme Court case from Concord in 1890. There was some discussion relating to a case in Tilton, NH in which sidewalk maintenance in a public way and the court ruled that once a public way is accepted, all are accepted. The only exception to this would be a way that is declared a private way. Mr. Dean is pleased to announce a workforce house coalition function tomorrow evening. This event topic will be policy updates for workforce housing and it seems to be of interest. Lastly, Mr. Dean expresses his condolences to the family and friends on the passing of Roland Goupil, proprietor of Gerry's Variety and Trackside Café. Mr. Goupil was a long standing community member and proprietor in Exeter and he will be missed.

Mr. Ferraro expresses his appreciation of the report on the sidewalk clearing. He adds to Mr. Dean's report on the Tilton case that as a municipality, there is the opportunity to do something good for the community but adds the expense of having to clear it. The DPW has done an exceptional job of working to clear sidewalks. Mr. Ferraro feels this decision of the Supreme Court is worth looking into. Mr. Ferraro reflects on a group from CMS that had approached the Board regarding signs. He believes that was a year ago, and wonders if the permit for new signs has been received. Ms. Gilman indicates that event was recently a permit request and the letter the group presented with the request was dated the previous year and the event has already passed. He also inquired about the construction in the Town Offices.

Mr. Dean reports the assessing office and tax office are in the final stage of switching places. Mr. Ferraro asks about the area that was formerly finance. Mr. Dean reports that it is still undecided how that space will be utilized. The Town Clerk and Mr. Dean have met and she has a layout for her office, including the Selectman's area and possibly moving the Supervisors of the Checklist out of the Town Clerk's area. A discussion with code and fire must also be had before it comes back to the Board. Mr. Ferraro points out that the Board approved the Assessing Department taking the Collections and Finance area, which resulted in the moving of the Finance Department. Mr. Ferraro asks Mr. Dean why this did not happen. Mr. Dean responded by saying he does not recollect a mandate that someone go into the Finance area. Mr. Ferraro feels as though the plan that was approved included Assessing moving into Finance and Collections. The Board agrees to verify the approved plan in the minutes, and revisit this topic in the future.

h. Legislative Update

Chairman Quandt reports that there are a few interesting bills passing through the committees at the moment. One that relates to culvert manufacturers and soil engineers. The bill would certify those professions in the state. The reason to certify these positions is in the circumstance of a building project failing, traditionally all the work that

was done, those two entities would be unable to participate in the liens process to help remand some of their costs. Chairman Quandt also reports that it is almost Committee of Conference time. He summarizes this as a legislative time when the House and the Senate can sit and agree on bills that have been amended by either body.

i. Selectman's Committee Report

Mr. Ferraro reports an upcoming Water & Sewer Committee Meeting Wednesday evening. He reports a ZORC meeting planned for Wednesday morning, and a Planning Board meeting for Thursday evening.

Mr. Clement reports a River Study Meeting he attended. He is attending an RPC Energy workshop on Wednesday in Seabrook and also Conservation Commission and Water Sustainability meetings are scheduled for Tuesday.

Mr. Chartrand reports an EDC meeting scheduled for Tuesday evening.

Ms. Gilman reports that she has been working with the Town Clerk regarding Municipal Record Retention. She reports that the Technology Committee has finalized its vision statement. She attended an EDC event that is co-sponsored by the Chamber of Commerce at the Exeter Rinks, for a presentation regarding the Epping Road ER Zone and the baggage building projects. The form based code subcommittee has met and they are close to a presentation. The project would include dividing up Portsmouth Avenue in the "complete streets" initiative. The road will be divided into areas and named. The Historic Commission is involved in the naming of the area. She gives a summary of the complete streets initiative. One effort of this group is to encourage people to remember cars not being the only available mode of transportation. In the streets there are pedestrians, and bicycles. This is a presentation she would like to prepare for the Board at a meeting in the future.

j. Correspondence

A letter from the DOT indicating that a review of street lighting is in process and in the efforts to save money, any street lighting on State Highways that is deemed to be unnecessary for motorist safety will be discontinued.

The letter from NHMBB indicating the Bond loan application has been approved.

A letter from Big Brothers & Sisters of the Greater Seacoast, thanking the Town of Exeter for their donation.

A letter from Xfinity indicating the regular updates regarding their services.

A draft of results the minutes from the Goals Session Meetings.

A letter from Mike Favreau regarding pool filters issues. Mr. Dean reports that Mr. Favreau will be at the next meeting to discuss this memo. The pool filter is 38 years old and replacement of the sand in the filter is impossible. They have a recommendation to replace the filter. There is some surplus in the revolving fund from last year to offset the cost.

7. Review Board Calendar

The Board will meet on Friday May 18, for Goals setting session at the DPW.

8. Non Public Session - None

9. Adjournment

Ms. Gilman moves to adjourn. Mr. Clement Seconds. Vote: Unanimous

The Board stood adjourned at 9:27pm.

Respectfully Submitted,

Jennifer Pond
Recording Secretary