

Draft Minutes

Exeter Board of Selectmen

November 1, 2016

1. Call Meeting to Order

Chairman Dan Chartrand called the meeting to order at 6:45 pm in the Nowak Room of the Exeter Town Offices building. Other members present were Vice Chair Julie Gilman, Selectman Don Clement, Selectwoman Nancy Belanger and Selectwoman Anne Surman. Town Manager Russell Dean was also present. The Board then convened in the Wheelwright Room for interviews for boards and committees.

2. Board Interviews - Memorial Day Parade Committee

Memorial Day Parade Committee board candidates were interviewed in the Wheelwright Room by BOS members prior to the general meeting starting at 6:50 p.m.. The following candidates were interviewed as a group: Florence Ruffner, Kensington resident Al Brandano, Natalie Healy, and Patsy Thayer. The Board determined they would vote tonight on appointments and covered the requirements under 91-A for the committee.

3. Public Comment

There is no public comment.

4. Minutes and Proclamations

a. Proclamations/Recognitions.

There were no proclamations or recognitions.

5. Approval of Minutes

Approval of the minutes is being delayed as the October 10th and 24th minutes were only just distributed to BOS members. Three sets of minutes will be in need of approval at the next meeting, which will take place November 14, 2016.

6. Appointments

4 of the 6 candidates for the Memorial Day Parade Committee have been interviewed so far.

The **motion** to approve the 3 Exeter-resident nominees— Natalie Healy, Patsy Thayer, and Florence Ruffner— for Memorial Day Parade Committee membership was moved by Vice

Chairwoman Julie Gilman, and was seconded by Chairman Dan Chartrand. The motion was carried, unanimously (5-0). A note was made by Ms. Gilman that there are no terms stipulated for these appointments.

A further **motion** was raised by Vice Chairwoman Julie Gilman for exception to be made for a non-resident candidate— Albert Brandano of Kensington— to be committee member. The motion seconded by Selectwoman Nancy Belanger and passed, unanimously (5-0). Mr. Brandano has volunteered in a similar capacity in the past.

The remaining 2 candidates will be interviewed at the next BOS meeting.

7. Discussion/Action Items

a. Financial Software Lease–Purchase

Town Manager Russ Dean presented recommendation for Financial Software and related services project to be awarded contract to Tyler Munis Technologies. It is within the Warrant Article Budget that was structured as a 4-year lease-purchase in the Town Meeting. Many internal departments have reviewed the proposal and had the opportunity to meet with the vendor to ensure all the requirements needed are met. There is a consensus of comfort, given that Munis has many local communities already using similar technology.

Doreen Ravell, Finance Director, presented the process for soliciting financial software proposals. The detailed RFP (request for proposals) was publicly circulated in August 2016, including in the newspaper and on the NHMA website. Quotes were solicited in advance of last year's budget meeting so the 4 companies that submitted estimates would have ample opportunity to respond to the RFP. The call for proposals closed August 31, 2016, with two responses received from Tyler Munis and Patriot Fund. Nearly every town department was represented in the presentations to discuss the proposals, including the Tax Department, Water/ Sewer, Town Manager, Finance, HR, Police, Fire, DPW, and Parks and Recreation. Consensus gathered that Munis was the best choice.

The competitive bid is for a tax-exempt lease set with a 2.47% interest rate, as well as the other lease from diversified for 2.84%. In the interest expense alone, it is nearly a \$4000 difference. They are both 4-year lease payments that meet the guidelines of the Warren Article Budget.

Selectwoman Anne Surman raised question about the binding contractual status of the proposal, and whether the town counsel has seen the final document and signed off on it. Ms. Ravell confirmed that it is under review by the town's counsel as well as Primex legal counsel, on a complimentary basis and no issues have yet been raised. Mitchell Municipal will not be able to offer feedback until the end of the week.

Ms. Surman then inquired as to the lease payment schedule, as according to the proposed Licensing Fee, due with 25% on the effective date; 60% on the download date; and 15% when the software is released 'live'. Ms. Ravell confirmed that the bank leasing firm would cut payment according to the general (leasing) terms and would negotiate with Munis. The contractual dialogue between the town and Munis is free to continue according to the project's progress.

Concern was accordingly raised by Ms. Surman that the town would be at a potential disadvantage if the final project were to roll out without complete satisfaction, when financials have already been exhausted. Also, there is reference to an escrow agreement, but the terms are unclear. Furthermore, the precise payment schedule, scope of work, and the assignment of responsibility appears overlooked in the proposal. Ms. Ravell responded that it is for this reason that the quote for maintenance is deferred for the first year, representing \$27,000 savings the first year that will not be billed until FY2018. A discount of ~\$76000 was also offered, along with modules like the Citizen's Portal, in order to meet the Warrant Article Budget and general expectations. The escrow account option is for the lease, but defined terms are still forthcoming.

Selectwoman Surman requested to continue the contract terms discussion with the BOS to mitigate risk exposure. Finance Director Ravell offered to meet with Ms. Surman to further discuss details, given the Selectwoman's software background.

Vice Chairwoman Julie Gilman raised the question of whether further forms would be available, if needed. Ms. Ravell responded that Munis is in compliance with IRS, Federal, State, and NHRS requirements, so required forms will inherently need updating on their part.

Ms. Gilman questioned whether there might be any issue with the potential to convert more than one database, as the pricing is set accordingly. Ms. Ravell confirmed that there is only one database to convert.

Vice Chair Gilman drew attention to the fact that the maintenance and support fees will not be billed until 2018, but questioned the chances of a change in rate, and what kind of advance notice could be expected. Finance Director Ravell concurred the concern, stating that she would make inquiries in the Fall in order to budget for any potential rise in rates.

Ms. Gilman requested clarification under professional services: if we call for support that requires travel, the proposal states we need to contact them 2 weeks in advance in order to cancel; and if we cancel and they are unable to reassign their staff, we will be responsible for payment? Ms. Ravell noted this would likely fall under planning and implementation. There is an 800 number used for software support. Selectwoman Surman asserted this is a standard industry practice.

Selectman Don Clement inquired which other local area towns are using this software. Ms. Ravell confirmed there are between 15-20 local towns now using the software, including Salem, Derry, Pelham, and Durham, among many others. There is also a user group, which is a new bonus.

Mr. Clement asked what platform the software runs on. Ms. Ravell responded that it runs on Microsoft SQL, which was confirmed with the IT Coordinator in order to confirm what the hardware requirements will be. The IT Coordinator also spoke with the Modis to ensure full compatibility.

Selectman Clement then asked whether there might be any need for any further software module development, outside the current contract. Ms. Ravell noted that interfaces were written for the Town Clerk and Parks and Recreation, etc. Further modules could be integrated, but the requirements were fully considered. If Parks and Recreation, for example, wants to further their interface, they would need to finance it, which could then be fully integrated. As it is proposed, the interface will comply with all state standards.

Mr. Clement inquired whether the Munis office in Yarmouth Maine is a sales or support office. Finance Director asserted the office in Maine handles a support function.

Selectman Clement referred to Page 2 of the RFP, concerning the warranty (“We warrant that the Tyler Software will be without defect as long as you have a Maintenance and Support Agreement in effect...”), and asked whether there should be a penalty clause. Without one, if they don’t meet expectation, that could potentially be an issue. Their “best reasonable effort” is a vague statement if something goes wrong, from a legal aspect.

Mr. Clement stated that he would be more comfortable with a locked in price for the second year, in the event it could veritably exceed \$27000 (the amount deferred for the first year).

Vice Chairwoman Gilman inquired how many desktops the software will be rolled out to. Finance Director Ravell noted the number is around 20.

Selectman Clement asked whether we need all these modules. Ms. Ravell confirmed that yes, that’s why we’re doing this— to give the residents of Exeter functionality online to be able to pay their bills through the Citizen’s Portal. They will be able to, for example, look up their water bills on a monthly basis, as opposed to every 3 months, and pay them.

Mr. Clement inquired about hardware and whether a) we going to own the hardware; and b) if it is proprietary hardware that we are obligated to buy and if not, whether c) we can price it on the market. Finance Director Ravell replied that the only questionable hardware item is the printer. All other items were discussed in depth. The hand-held scanners, for example, will greatly help the conversion of an otherwise very tedious job. Ms. Ravell suggested she could

ask what was unique about the Tyler Munis hardware, but Vice Chair Gilman raised the question of the servicing of non-proprietary hardware, which would unlikely be covered by the vendor's contract terms.

Selectman Clement then asked Town Manager Russ Dean how to account for spending more money according to the lease-purchase agreement, given that \$243,275 was appropriated under the Town Warrant Budget for financial software and the fact that the full lease payment will be \$253,000. Mr. Dean reconfirmed that the lease-purchase agreement is an estimate. The only thing approached is the first-year lease purchase payment amount, which is within the limit defined by the Town Warrant. Ms. Ravell added that the annual lease payments will be about the same. The interest amount is built into the lease payments.

Selectwoman Anne Surman inquired about the host for the software. Finance Director Ravell noted that the cloud-base hosting was assigned an exponential cost, so we will be hosting it in-house, for now.

Vice Chairwoman Julie Gilman raised the **motion** to approve the lease-purchase agreement for financial software from Tyler Modis Technologies with financing set at a tax-exempt rate of 2.47%, with an annual lease payment of \$63,434.00. Selectwoman Belanger seconded. The motion passed, unanimously (5-0), in favor of the financing. Legal will continue to review the contract terms, and room remains for further negotiating contract terms with Tyler Munis.

Chair Chartrand moved to switch agenda item c. (Cell Tower Lease Update) with agenda item b. (Master Plan Update) in order to accommodate the presenters.

c. Cell Tower Lease Update

Town Manager Russ Dean made a statement about Varsity Wireless, a company that approached the town about 3 years ago, concerning a proposal to locate a cell tower on the Simpson estate. There have been 2 Town Meetings on the process, and a formal proposal to the board is imminent. The materials were received just yesterday. Once perused, Mr. Dean will put it to the BOS. The company has asked to meet with the board, but does have some proprietary concerns regarding private entities on other land.

b. Master Plan Update

Town Planner Dave Sharples presented an update on the Town of Exeter's Master Plan.

The last BOS meeting resulted in an authorization of the Town Manager to enter into a contract with The Horsley-Witten group. They are now newly located in Exeter downtown, on Water Street. Ellie Baker, a principal planner at Horsley Witten, was the recent steering committee meeting, and is now located in the Exeter office. The Steering Committee kick-off was on 26

October. Outreach remains a focus because the more people to get involved, the more successful the project will be. The Steering Committee will sponsor an information booth on Election Day. HW Group did create a flyer, but handouts are not yet ready for distribution today as they are still in draft-phase. They created a website: Visionexeter.com—there have been some design and logistic comments and it is a work in progress, but is up and running and sign-up is available on the website for update notifications. Surveys are still being collected—there have been 257 responses to date, and the data is starting to be collated. The next steps are to create a stakeholder list: individuals, department heads, boards, major businesses, non-profits, rotary—everybody; the more the better. Getting contacts for these people and individual interviews and/or conducting large-scale focus groups is a goal. Once that is finalized, the data will be analyzed and boiled into a spreadsheet, including links to further information. The first Vision Session in a few months is up in the air. The data will determine the more specific direction and timing.

Selectman Clement asked whether the consulting group has considered starting a FaceBook page to promote community awareness and interface. Mr. Sharples responded that the issue is one of moderation: who and how would it be managed? There is potential, but it is a loaded undertaking. Town Manager Dean added that social media is difficult to track in terms of how many people are commenting, aliases, and even whether commenters are in fact residents. There are a lot of moving parts to social media. Selectwoman Surman furthermore reiterated that more people that get involved, the better; and that capturing the next generation may require non-traditional routes. Mr. Dean noted that the Steering Committee is a large group and that going forward, mass density will be an issue with how to engage the broader community. Mr. Sharples noted that Meeting-in-A-Box will be one such route to community engagement.

Chair Chartrand noted that this project represents one of the 5 goals of the board set last April, underlining the importance of the project.

8. Regular Business

a. Tax, Water/Sewer Abatements & Exemptions

There are no Tax, Water/ Sewer Abatements & Abatements to be discussed.

b. Permits & Approvals

Town Manager Dean asserted that there is a Unutil petition for 3 jointly-owned utility poles along String Bridge.

Chair Chartrand questioned whether the process of approving these licenses represents a departure from previous handling of similar requests. Mr. Dean responded that they did not

used to be discussed, and were simply signed off on by selectmen, noting that nothing in particular needs to be addressed and that they can be decided upon in the next meeting.

c. Town Manager's Report

Mr. Dean reported about the following:

- The Budget Recommendations Committee met all day on October 21st, and again on October 26, 2016. They will meet next tomorrow night, November 2nd; as well as on November 7, 10, 16, and 30th. The last meeting will be reserved for any action that needs to be taken, although there is likely to be overflow to be addressed from the previous meetings.
- The Presidential Election is next week, on November 8th.
- Tax Bills have been sent out and should be received soon. They are due Dec. 1, 2016.
- The BOS has been invited to meet with Ben Anderson from Prescott Park at the Chamber of Commerce next Monday, November 7th, from 5:30-6:30 PM, before the Budget Committee meeting, at 24 Front Street.
- There is a Housing Seminar this Thursday, November 3, at UNH at 7:30 AM.
- Mr. Dean met with 2 Swasey Trustees and Public Works representatives and representatives from Wright-Pierce to talk about a temporary access road along Swasey Parkway for the Wastewater Facilities Construction Project. There were 2 access ways that were staked out, and they are staked right now, and we are on the right track. Some members are available to meet with the board to discuss logistics behind construction. It won't close down parkway, but intermittently, it will be a bit difficult. People should be warned.
- Halloween parade was canceled last Friday on account of rain. Some questions were received as why there was not a rain date set. The answer came down to logistics, given the scheduling of booked elements, which later become committed elsewhere.
- Trick-or-treat went well by all accounts last night, Monday, October 31st.
- Public Works continues to work with the Department of Environmental Services on a possible order of consent regarding the THM issue. A report should be forthcoming shortly, and the board will need to convene at that point to discuss the issue. Trihalomethanes are still not in compliance with standards at 4 different sites, and more aggressive action will need to be taken.

- The Arts Committee has had some back-and-forth with membership. They are grappling with some issues.
- Veterans Day is next Friday, November 11th.

d. Selectmen's Committee Reports

Selectwoman Nancy Belanger reported that the Housing Committee meeting would be moved from Veteran's Day, November 11th, to November 18th. There will be also Water/Sewer Advisory Committee Meeting on November 9th; and a Workforce Housing Coalition seminar on Thursday, November 3rd at 7:30 AM.

Selectwoman Anne Surman drew attention to the upcoming Pumpkin Festival and Pumpkin Toss at Raynes Farm on Saturday, November 5th from 1-4 PM. It will be the 1st annual Raynes Farm Barn Great Pumpkin toss. Many have already RSVPed for parking, even more than for their annual snowshoe event. There will be crafts for kids and tours of the barn and property. Volunteers welcome. It will be rain or shine.

Vice Chair Gilman will be meeting with a tree service company at Winter Street Cemetery tomorrow, November 2nd, to get a quote for tree work. Members of the LChip (Land Conservation and historic preservation) program recommended that we might want to look into and apply for that next year, if we don't get an award this year (a decision should be communicated within about a month).

Ms. Gilman requested revisiting an issue from the last meeting: Mr. Thayer's resignation from the Robinson Trust. We did not accept it. Other trustees have found someone to replace him and fill his term (March, according to the Town Clerk), and there is a question of how to proceed. Chair Chartrand noted Harry Thayer was correct in his understanding of the Trustee by-laws, and that the situation would necessitate 2 slots on the town ballot next Spring. According to the by-laws, BOS members interview and then appoint trustee members until the end of the current term.

Selectman Clement attended a NH Coastal Adaptation Workshop at the Hugh Gregg Discovery Center in Greenland, entitled Downpours and Droughts. One of the discussions concerned the current drought. As of the workshop last Wednesday, Rockingham county and the seacoast area received 50% of normal rainfall since the beginning of the year. In some places, we have reached historic lows of groundwater and stream levels. Things have improved a little, but this is the nature of the drought. On Haigh Road, where there is a gauge on the Exeter River above the Pickpocket Dam in Brentwood, the water flows (prior to the recent rains) was recorded at .6 cubic feet per second, is phenomenally low and testament to the depth and breadth of this drought. The question raised is what can towns do to prepare for droughts and downpours. One of the potential responses discussed is called 'low-impact

development'. For example, rain gardens and porous surfaces could serve to to put water back into the ground for recharge. The Director of Water/Sewer in Portsmouth mentioned that the city sponsors a \$100 rebate program for households that convert toilet facilities to low-water efficiency models \$100. These win-win scenarios could be a boon for both the for customer and the town, and Exeter might want to pursue similar programs, if the Water/Sewer Department isn't already exploring such options.

Mr. Clement also noted that the Planning board met last Thursday and considered a preliminary Yield Plan for the Rose Farm. A yield plan is when an applicant comes in and provides a plan that shows the developer can put in a number of viable plots within the property being developed. Once that has been established, an open-space plan can be developed. The houses will be on smaller lots. The meeting was very well attended, and was recorded and online. We will continue to work with the Town Planner to refine the Yield Plan. There is another Planning Meeting this week.

There was an Exeter Economic Development meeting, which Town Manager Russ Dean attended. It is streaming online for all to see. Vice Chair Julie Gilman also attended and gave a presentation on HDC accomplishments. Selectman Clement asked if the same presentation to the Heritage Commission could be made to the Board of Selectmen.

e. Correspondence

The following correspondence were included in the packet:

- Letter from invitation from the Rockingham Planning Commission for the Annual RPC Legislative Forum on Wednesday, November 9th from 6-9:30 PM. The Topic is "Challenges and Opportunities for Local Economic Development" and it is open to all legislators, local officials, and commissioners. It will take place at Unitol Headquarters at 6 Liberty Lane West in Hampton. RSVP by Nov. 4th to Roxanne Rines at RRines@rpc-nh.org or 778-0885.

- There is an invitation from the Workforce Housing Coalition for the first-ever Seacoast Housing Summit. It will be held Thursday morning, November 3rd, at UNH Hubbardston Hall from 7:30-9:00 AM. Registration is requested.

- The next Board of Selectmen meetings will take place on Monday, November 14th and 28th. The Website needs to be updated accordingly.

10. Non-Public Session

There is a request from Town Manager Russ Dean to go into non-public session to deal with some compensation issues. Vice Chair Gilman thereby raised motion under 91A.32A to

move to a non public session on compensation. Selectwoman Belanger seconded, and the motion passed, unanimously (5-0).

Vice Chair Gilman requested the trailer to go out for Election Day, as it had been forgotten on the Primary. Mr. Dean agreed to oblige. Signboards will go out 7am-8pm at the Talbot Gym at the old high school.

The Board conducted the non public session.

11. Adjournment

The board emerged from non public session. Selectwoman Belanger moved to seal the minutes. The motion carried, 4-0. Selectwoman Surman opposed.

Selectwoman Belanger moved to adjourn, Selectwoman Surman seconded. The Board stood adjourned at 9:00 pm.

Respectfully submitted,

Amanda White, Recording Secretary