

Draft Minutes

**Exeter Board of Selectmen**

November 14, 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 and Clerk 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: Gary Lamphere and Jim Faber. 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 formal proclamations or recognitions. Town Manager Russ Dean did, however, mention something is being planned in commemoration of the state champs Exeter High School boys' soccer team.

**5. Approval of Minutes**

Three sets of minutes were before the board for approval: October 10th and 24th, as well as November 1st.

The October 10, 2016 minutes were motioned to be approved with minor edits by Selectwoman and Clerk Nancy Belanger; seconded by Selectwoman Anne Surman; and unanimously approved (5-0).

The October 24, 2016 minutes were motioned to be approved with minor edits by Selectwoman and Clerk Nancy Belanger; seconded by Vice Chair Julie Gilman; and unanimously approved (5-0).

The November 1,, 2016 minutes were motioned to be approved with minor edits by Selectwoman and Clerk Nancy Belanger; seconded by Selectman Don Clement; and unanimously approved (5-0).

## **6. Appointments**

Chairman Dan Chartrand **motioned** to regretfully accept the resignation of Harry B Thayer, III from the Robinson Trust. Selectwoman and Clerk Nancy Belanger seconded the motion. The motion carried unanimously, 5-0. The board expressed thanks for Mr. Thayer's service.

Vice Chair Julie Gilman then **motioned** to appoint William Perkins to the vacancy on Board of Trustees of the Robinson Fund until the end of Mr. Thayer's term in March 2019, when he will then be on the ballot for the next term. Selectman Don Clement seconded the motion, which carried unanimously, 5-0.

All 6 candidates for the Memorial Day Parade Committee have been interviewed.

Vice Chairwoman Julie Gilman **motioned** to approve nominee Gary Lamphere for membership on the Memorial Day Parade Committee. Clerk and Selectwoman Nancy Belanger seconded. The motion was carried, unanimously (5-0).

Vice Chairwoman Julie Gilman **motioned** to approve nominee Jim Faber for membership on the Memorial Day Parade Committee. Clerk and Selectwoman Nancy Belanger. The motion was carried, unanimously (5-0).

## **7. Discussion/Action Items**

### **a. Primex Workers' Compensation Program**

Town Manager Russ Dean presented 2-year amendment and extension of the Workers' Compensation Program. The CAP Period years qualify for the Contribution Assurance Program (CAP) are FY2016 from January 1,2018 to December 31, 2018; and CY 2019 from January 1, 2019 through December 31, 2019. The maximum increase would be set at 6% for both years.

We are currently in the CAP Program, buying into a max-cap increase of 10%. Going forward, it will be set at 6% . The property liability is set at a 5% increase (down from 9%). These 2

components— the Property & Liability Program and Workers' Compensation Program— would serve as favorable budget planning assurance mechanisms.

The NH Municipal Association Property Liability Trust and is no longer functioning. Primex is the only insurance pool available to the community.

Selectwoman and Clerk Nancy Belanger **motions** to accept and extend the agreement between the town of Exeter and Primex for workers' compensation coverage through December 31, 2019 with a fixed cap of a 6% increase, authorizing the Town Manager to sign the documentation according to these terms. Vice Chair Selectwoman Julie Gilman seconded the motion, which then passed unanimously, 5-0.

The **Resolution** to enter Primex Workers' Compensation Contribution Assurance Program, otherwise known as CAP: We are resolved to hereby accept the the offer of the New Hampshire Public Risk Management Exchange (Primex) to enter into its Workers' Compensation Contribution Assurance Program (CAP) as of the date of the adoption of this resolution, and to be contractually bound to all of the terms and conditions of Primex; risk management pool membership during the term of the Workers' Compensation Contribution Assurance Program (CAP) The coverage provided by Primex in each year of membership shall be as then set forth in the Coverage Documents of Primex.

Selectwoman and Clerk Nancy Belanger **motions** to accept and extend the agreement between the town of Exeter and Primex for property liability coverage through December 31, 2019 with a fixed cap of a 5% increase, authorizing the Town Manager to sign the documentation according to these terms. Vice Chair Selectwoman Julie Gilman seconded the motion, which then passed unanimously, 5-0.

The **Resolution** to enter Primex' Property & Liability Contribution Assurance Program (CAP): We are resolved to hereby accept the offer of the New Hampshire Public Risk Management Exchange (Primex) to enter into its Property & Liability Contribution Assurance Program (CAP) as of the date of the adoption of this resolution, and to be contractually bound to all of the terms and conditions of Primex' risk management coverage provided by Primex in each year of membership shall be as then set forth in the Coverage Documents of Primex.

Selectwoman and Clerk Nancy Belanger **motions** to accept the resolutions to accept and extend the agreement between the town of Exeter and Primex for property liability coverage and its workers compensation contribution assurance program through December 31, 2019, and hereby authorizing the Town Manager to sign the documentation according to these terms.

Vice Chair Selectwoman Julie Gilman seconded the motion, which then passed unanimously, 5-0.

### **b. Speed Limits Discussion**

Town Manager Russ Dean reported that The Board of Selectmen requested the Exeter Police Department looked into the Town Ordinance on Speed Limits, and Detective Page responded, via Chief Shupe. They recommended some changes in the Town Ordinance. They will present to the BOS in a few weeks' time.

At issue is that there are speed limits within the town that are not stipulated in the Town Ordinance. There is blanket language in the Town Ordinance that references Chapter 201, which deems "It shall be unlawful for any person to operate a motor vehicle on a public way in the urban compact area of the Town of Exeter at a speed greater than 30 miles per hour, unless otherwise provided by subsections for this Chapter." There are current instances not covered under this mandate. There will be a comprehensive list of edits to address when the Police Department makes their presentation. Mr. Dean mentioned there is a petitioning process, so the Board of Selectmen should familiarize themselves with the issues presented in the packet.

Vice Chair Selectwoman Gilman added that the state has a minimum speed limit of 25 MPH, while Exeter has a number of streets set at 20 MPH, which would seem contrary to the state law. There are only 2 streets set at 20 MPH. Selectman Clement added that adjacent streets with varying speed limits seem to raise a legal conundrum and the need to extend signage to inform the speed limit. Ms. Gilman concurred, questioning the enforceability of fluctuating speed limits without more thorough signage. Chairman Chartrand underlined the need to take a systematic approach. Mr. Dean agreed, asserting that this project should progress step-by-step, thoroughly, and methodically.

### **c. Water Sewer Rates Update**

Town Manager Russ Dean updated the board regarding water and sewer rates. There was a meeting last week regarding rates. It served as a precursor to the upcoming meeting on November 28th.

The rate consultant suggested 3 tiers, based on usage patterns:

Tier 1—Would change from 29,999 gallons per quarter to 21,000 gallons per quarter;

Tier 2 —Would change from 194,999 gallons to 105,000 gallons per quarter; and

Tier 3—Would change from over 194,999 gallons to over 105,000 gallons per quarter.

The Water rates are recommended to be adjusted to 7.27 per 1,000 grams, and sewer rates would be adjusted to 5.27 per 1,000 gallons. In addition, service fees would be modified from the current \$28 per quarter to \$40 per quarter, to cover the fixed cost of administering the 2 funds and billing. These are estimations. The meeting on 11/28 should feature more precise numbers.

As a reminder, there are a few things driving the increase: namely, coming the groundwater plant coming online and the need to adjust for that. The philosophy on the wastewater side is based on consultant's suggestion to account for the wastewater facility being built in order to mitigate the rate impact of that \$53M project over a period of 3 years and to make it gradual in the hopes of avoiding sticker shock. Bill projections are included in the packet. Over a year range, the increase would be between \$128-\$140/year., but again, more precise figures will be available for the 11/28 meeting.

Mr. Dean asserted that the Water and Sewer Advisory Committee will hold at least one public water rate hearing and one public sewer rate hearing each year. These hearings may be held concurrently, and shall be noticed to the public and to the Board of Selectmen. At the hearings, all pertinent information regarding establishment of water and sewer rates will be presented by Town administration.

Selectman Don Clement expressed dismay that there was no formal report from the consultant on alternatives. Chairman Dan Chartrand responded that there was a meeting in early Fall that decided on the tiers and rate formulation, and requested Mr. Dean request a further report from the consultant to account for Mr. Clement's reservations.

#### **d. Perambulation Request - Town of Hampton**

Town Manager Russ Dean noted that a Perambulation Request has been received from the Town of Hampton. If any members of the Board of Selectmen wish to volunteer to delineate the bonds between the towns, please touch base with Mr. Dean. This happens every 7 years.

### **8. Regular Business**

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

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

Mr. Dean did, however, mention that assessors have created a land-use change tax for 60 Gourmet Place, which offers gourmet gift baskets. This warrant needs to be signed by the Board of Selectmen in order to be submitted to the Department of Revenue Administration

(DRA). There was a question of the date, which is listed as November 28, 2016, which is presumably the date of the prospective submittal. The change in use is 3/25/16. The date of the bill is 11/16/2016.

Clerk and Selectwoman Belanger raised the **motion** to approve the amount of \$42,500 for a land-use change tax for 60 Gourmet Place. Vice Chair Gilman seconded the motion, which passed unanimously, 5-0.

Selectman Clement mentioned that when a parcel goes out of current use, there is a penalty tax, which is what this is, and underscored that the amount will come back to the Town of Exeter. Mr. Dean added that this is the first such case that he has seen in 9 years. The last instance was with RiverWoods, back in 2007.

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

Vice Chair Gilman raised a motion to approve the use of the Town Hall Main Hall, Bandstand, and 4 parking spaces for the Exeter Holiday Parade Committee/ Ring In The Season event via Darius Thompson from December 1-3, 2017, during the hours of 8 AM - 10 PM. The motion was seconded by Selectwoman Belanger and passed unanimously, 5-0.

Town Manager Dean asserted that there is a Unitil 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**

Town Manager Russ Dean confirmed that the Budget Committee is next scheduled to convene on Wednesday, November 16th.

The town hall reception is proposed to take place on Tuesday, December 13th, from 4-6 PM, if the day/time is agreeable with the Board of Selectmen. This is a recognition event for Town Hall employees, committees, and board members. Refreshments and music will be provided.

As an FYI, the Town Planner continues to work on the solar array project on the Simpson estate/ landfill area, in cooperation with the Public Works Department. It is a work in progress. They are not yet ready to make a formal report on account of some complexities, but will soon.

Chief Shupe attended Racial Unity Team Meeting last week. Mr. Dean was regretfully unable to attend on account of a scheduling conflict with the Budget Recommendations Committee, but wished to acknowledge the Chief was there and actively engaging with this group.

In terms of an update on the current drought situation, conditions have somewhat improved across the state. The DES website confirms we are not in the worst zone of drought, but we remain at 'severe drought' status, which is next to worst. We are still asking people to conserve water.

An inquiry has been raised by a resident regarding a potential dog park. This raises is the question of the dog park itself; and whether dogs would/should be permitted to go off leash on town land, such as town trails. We are going to get feedback regarding the City of Portsmouth municipal dog park. This is not the first time such an inquiry has been raised. Selectman Clement mentioned that there was a citizens' petition a few years back, which resulted in being rejected. Selectwoman Surman added that the topic is before the Conservation Commission as well, noting that Rochester and Dover have dog parks and offering assistance on research.

Mr. Dean related that he and Fire Chief Comeau met with a public safety design group— Castagna Consulting Group, out of North Hampton— last week that offers alternative programs on municipal facilities. They will come before the board at some point, and selectmen have been forwarded some preliminary information.

The Town Hall will be closed on Thanksgiving and the day after Thanksgiving. The Town's scheduled trash pick up will be one day later than usual.

No word has been received from the court regarding Sanborn street.

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

Selectman Clement noted that the Planning Board met a few weeks back to discuss minor revisions of the site plan for C3I and also addressed potential zoning articles.

Mr. Clement also recently attended a quarterly safety meeting where workers' compensation and liability cases are often discussed to ensure compliance and the potential for making improvements.

Mr. Clement furthermore attended The Annual RPC Legislative Forum at Unitil Headquarter in Hampton last week. Laura Bistany, President of the Regional Economic Development Center for Southern NH was in attendance. Several municipalities offered their perspectives on economic development, namely, North Hampton and Brentwood. Their ideas of economic development

are markedly different from Exeter's. Peter Egelston, founder of Smuttynose Brewing Company, also attended.

There is a Planning Board meeting this Thursday night.

The NH Municipal Association is holding their Annual Conference on Wednesday and Thursday, 16-17 November in Manchester.

Vice Chair Julie Gilman reported that she attended a Water & Sewer Advisory Committee as well as a Heritage Commission meeting on Wednesday, November 9th.

Chairman Chartrand congratulated Vice Chair Gilman on her recent election to the NH House of Representatives.

The grant round from the NH Division of Historical Resources is approaching, and the Heritage Commission is looking to do the next area of survey in town in the Park Street/ Cass Street area. There will be a drive around to demarcate the survey area. One commission member has been in touch with the Seacoast School of Technology regarding video walking tours towards the aim of commission members using scripts and presenting chosen properties to highlight on video. They are looking for someone to assist with integrating the clips into a phone-based app.

Ms. Gilman also noted there was a special meeting of the Historic District Commission to discuss the Coast bus shelter. There were 2 motions on the subject, and neither passed. They will convene again this Thursday.

There is a Master Plan Steering Committee meeting Friday, November 18th, in the morning.

Selectwoman Belanger thanked Town Manager Russ Dean for covering the Water-Sewer report, and noted that Friday's Housing Committee meeting was moved on account of Veteran's Day to Friday, November 18th at 8:30 AM.

The Holiday Parade is December 3rd at 5 PM.

Selectwoman Surman noted she will present a report on Conservation at the next BOS meeting.

Chairman Chartrand reminded the group the Capital Improvement Program (CIP) discussion is slated for Wednesday, November 16th, at 6:30 PM in the Novak Room.

Move to approve the pole license. Spaces for the board to sign.



Selectwoman Belanger **moved** to approve a utility pole license, dated 9/29/2016, between the Town of Exeter and Unitil. The motion was seconded by Selectwoman Surman. The motion passed unanimously, 5-0.

There is a minor error on the signature form, which Mr. Dean will request updating of from Unitil.

#### **e. Correspondence**

The Prescott Park Arts Festival and Exeter Hospital will host *A Christmas Carol* on December 9,10, 17 at 7 PM; and December 11 & 18th at 2 PM, at the Town Hall.

Big Brothers Big Sisters of New Hampshire sent thanks for the recent donation.

The Exeter Public Works Department sent their quarterly report to the EPA, on target for the Administrative Order on Consent.

#### **9. Review Board Calendar**

The next Board of Selectmen meeting will take place in 2 weeks, on Monday, November 28th.

The the CIP discussion with the Budget Recommendation Committee is slated for Wednesday, November 16th, at 6:30 PM in the Novak Room.

The Holiday Open House is December 1st. The Holiday Parade is December 3rd.

#### **10. Non-Public Session**

There was a **motion** from Selectwoman Belanger to proceed into a non-public session under RSA 91-A: 3, II (a) and (c), for the discussion of public employee compensation issues. Vice Chair Gilman seconded the motion, which was approved unanimously, 5-0.

The Board conducted the non-public session.

#### **11. Adjournment**

The board emerged from non-public session.

Selectwoman Belanger motioned to adjourn, seconded by Selectwoman Gilman. Motion carries unanimously. The Board stood adjourned at 9:15 p.m..

Respectfully submitted,

Amanda White, Recording Secretary