

Board of Selectmen

October 2nd, 2017

Draft Minutes

1. Call Meeting to Order

Present at tonight's meeting are Dan Chartrand, Anne Surman, Don Clement, Kathy Corson, Julie Gilman and Russ Dean. Chairman Don Clement called the meeting to order at 7:00pm.

2. Water/Sewer Abatements

Ms. Jennifer Perry, the public works director, introduced the property of 27 Highland Street with Les and Nancy Cooper. She said there was additional information and had calculated the abatement with the sewer component, which was \$367.36 for a new total of \$647.72. She said that DPW follows the letter of the policy and therefore recommended against the abatement simply because it was related to a leak. She suggested that they remove the departments recommendations for or against, similar to tax abatements. Selectman Chartrand asked what would the amount be if they were only to abate the sewer portion.

Chairman Clement asked the Coopers what they are requesting for the abatement, out of the bill of 1,015.08 dollars. Mr. and Mrs. Cooper said they were looking for 258.37 dollars. Chairman Clement said that they usually reject the abatement when it is not the department's error causing the leak. Ms. Perry calculated that the amount of the sewer abatement alone would be 108.99 dollars. There was some confusion among the board over this amount. Selectwoman Surman said that they should only be responsible for the water because it was what went through the system.

Mr. Cooper said that he believed that their water leak could not have been prevented. Chairman Clement said that their policy emphasizes whether the leak happens in the citizen's pipes or in the town's pipes. Selectman Chartrand said that although leaks can't always be prevented or detected, it is up to each citizen to maintain their plumbing in advance of possible issues. Mr. Cooper believed that the policy was not clear.

MOTION: Selectman Chartrand moved to abate 108.99 dollars for Les Cooper at 27 Highland Street and 18 Prospect Avenue. Chairman Clement seconded the motion, and it passed 4-1-0, with Selectwoman Gilman voting nay.

Next was 13 Minuteman Lane with LeeAnn and Ed Ouimette. Ms. Perry offered her opinion that have a leaking toilet structure stay stuck for such a long period of time would be highly unlikely. She said that between June 11th and July 17th, there was a running toilet. She did not think it would just be due to sediment and may have been due to the flow being stuck or a valve that would not close. She said that sediment generally stains fixtures instead of causing them to stick.

The Ouimettes said that there are a lot of working components in toilets which vary in age, and they believed that the problems are caused by sediments damaging rubber seals. Mr. Ouimette showed the board parts of a rubber seal that had become deteriorated, and said that the water had been running due to damage to these seals. They emphasized that they have dealt with this issue for a number of years, and wondered why customers could not have a full abatement request.

Chairman Clement said that they did not have evidence that the issue was caused by the town. The Ouimettes said that they are at the end of the water line and had complained about water pressure previously to no avail. Their water pressure only improved after a neighbor complained. They have changed every inner working of every toilet in the spring. Selectman Chartrand said he would like the water department to work more closely with the Ouimettes to get to the bottom of the issue.

Ms. Perry said that she had had a chance to speak with Matt Berube about the case, and that from her understanding there was a concern that the toilet was used before their departure and that it ran for a long period of time. In July, they determined that the toilet was leaking and they informed the customer that the toilet needed to be fixed. The toilet ran for about a month. Chairman Clement asked for clarification of the graph, which Ms. Perry said that the toilet consumed about 6,000 gallons per day continuously.

Chairman Clement asked the Ouimettes if they were absent from June 14th to July 17th. They confirmed these dates and said that the meter was read by the water department on June 20th, and that they were never notified. Ms. Perry said that the meter reading is done electronically and that the meter reader would not have noticed the high usage. Chairman Clement clarified that it is looked at on a quarterly basis. Selectman Chartrand asked how it was discovered in July. Ms. Perry said that the Ouimettes had a high water bill and went to the water department. Selectman Chartrand asked if there were personnel to review records. Ms. Perry said yes, but that it was not easy. She said that generally over 35,000 gallons than normal triggers a response.

Selectman Chartrand asked if there was a way to report weekly on any exceptions. Ms. Perry said that it was not currently possible with their staffing. There is too much work that goes into the billing process, although they have discussed doing it on a monthly basis. She also said that there is a leak detector on the meter head which moves if you have a leak. Chairman Clement said that the customer could have read the meter.

Selectwoman Gilman asked when they receive a letter. Ms. Perry said that the meter reader will leave a doorknocker after an unusually high amount of water is used. Mr. Dean pointed out that they would not have received this if they were not home. Selectwoman Corson was concerned that they were not notified. Selectman Chartrand said he was upset that over 200,000 gallons of water were wasted. Selectwoman Gilman said that she understood Ms. Perry's explanation because they do not tailor the meter reading to each individual household.

The Ouimettes said that they were requesting a full abatement. She said that the first billing was for 634.90 dollars, and the second billing was for 3,220.57 dollars, and that the new bill would be for 86.25 dollars. She asked why the town didn't shut off the water. Chairman Clement said that they are not allowed to do that by state law. Selectman Chartrand expressed his belief that the board did not have all the information necessary.

MOTION: Selectman Chartrand moved to table the issue until the board could speak with Matt Berube. Selectwoman Surman seconded the motion, and it passed unanimously.

The Ouimettes said that somebody should come to the residence and see what is happening. Chairman Clement said that they wanted information from the water department, and would leave that up to the department. Ms. Perry said that Matt Berube had visited the house and did not think there

would be anything to add. The Ouimettes said that a 50% abatement was not enough. Chairman Clement said that the policy was a definitive criterion. Selectman Chartrand requested that there be a work session between the board, town manager, Mr. Berube and the Ouimettes.

3. Public Comment

Martha Pennell came to the microphone and spoke about recent flushing of a nearby water tower from the Riverwoods, a local retirement community. She said that they received a phone call from the CEO of Riverwoods but that they should have been notified from the town because it could have been a safety issue. She said that she would like the board to come to Riverwoods to inform the citizens about local happenings.

Ms. Perry said that hydrant flushing had been happening for about 2 weeks, usually at night but sometimes during the day. She said there were message boards in town and on TV about it. She acknowledged the inconvenience, but said that typically notifications are not sent out except to the hospital. Chairman Clement pointed out that Riverwoods is not the only place where flushing occurs. Selectwoman Corson said that Riverwoods had nursing so perhaps they should be notified in the future.

4. Minutes and Proclamations

There were none to cover during this meeting.

5. Approval of Minutes

The minutes from September 25th, 2017 were not ready yet for this meeting.

6. Appointments – Conservation Commission

Selectwoman Surman said there was a resignation from David O’Hearn from the conservation commission due to personal reasons.

MOTION: Selectwoman Surman moved to accept the resignation of David O’Hearn from the conservation commission. Selectwoman Corson seconded, and the motion passed unanimously.

MOTION: Selectwoman Surman moved to accept Marie Richey as resigning from the conservation commission as an alternate member. Selectwoman Corson seconded the motion, and it passed unanimously.

MOTION: Selectwoman Surman moved to accept Marie Richey as a full member of the conservation commission, with a term ending on April 30th, 2018. Selectwoman Corson seconded the motion and it passed unanimously.

7. Discussion/Action Items

a. DPW – Bicycle Lane Portion of High Street

Ms. Perry introduced a potential public works project where they would put in a bike lane on High Street between Portsmouth Avenue and Buzzell Avenue, as they are preparing to restripe High Street after paving. There is currently limited parking on High Street between Marlborough Street and past Gardner Street. About 18 parking spaces in total. She said she had only seen a few vehicles parked

there typically, and that it was lightly used. The parking is in close proximity, however, to Exeter Day School. She said that the width of High Street could not fit both the parking and the bike lane.

Selectwoman Gilman asked where the parking began on the Marlborough Street side. Ms. Perry said it began east of Marlborough Street past Gardner Street. Selectwoman Gilman said she was originally in support of this due to the number of bicycles coming from Portsmouth Avenue, but understood the concern from the day school. Selectwoman Corson asked if you could have both a bike lane and parking. Ms. Perry said no, because when you put parking and a bike lane you must use at least 14.5 feet of width, which would only allow for 20 feet total for vehicular traffic, or 10 feet per lane which is not large enough. Selectwoman Corson continued, and said she would hate to get rid of the parking because there is very limited parking at the day school and that it frequently experiences overflow.

Selectwoman Surman said that she agreed with Selectwoman Corson. Selectman Chartrand said that he was in favor of the bike lane. Chairman Clement asked if the south side were to be no parking, would it require a change in parking ordinance. Mr. Dean said they would have to commit to putting in a bike lane and then could put in an ordinance, which would require the standard three readings. Chairman Clement said he did not want to be limited by the striping deadline. Selectwoman Gilman said it would be easier to leave it as is and to take up the issue over time.

Selectwoman Corson asked if there was a bike lane added, would the center stripe still go in the same place. Ms. Perry said there was potential to move the center lane about one foot, and that if the bike lane was not added they would want to optimize the one already there. Selectwoman Corson was also worried about the burden placed on side streets if the parking was removed. The board agreed to have a discussion with the neighborhoods on the issue.

b. DPW Project Updates: Court Street Bridge Project, String Bridge Project

Ms. Perry gave an update on the Court Street Bridge project. She said the beams have been placed and work is continuing. It is intended to be mostly completed by October 30th (meaning traffic would be open), and to be fully finished by November 30th. The project is on schedule and on budget. Jay Perkins, of public works, said that October 30th is the target date if everything goes according to plan.

Ms. Perry said that the original gas line was closer to the old arch culverts, and had to be removed along with water and overhead utilities. When it is installed, it will be directionally drilled and not an open excavation. Nobody had petitioned to have a public hearing so the work is underway. Chairman Clement said he checked with the conservation commission, and the directional drilling was presented to the public.

For the String Bridge project, Ms. Perry said that the work was above grade work, removing pavement, and replacing the water line. In 2017, work has been below surface such as concrete work and alternating work on Kimball Island. The project is slated for substantial completion by October 17th, and will be done by October 31st. The final work on the sidewalks is occurring. The project is also on budget. There were two change orders to the project, which have been approved and increased the town's portion. 80% was DOT participating and 20% was the town.

Selectman Chartrand offered his congratulations on getting the bridges finished and up to speed. Selectwoman Gilman said that the project was very engaging to the historic district. She said that

they looked at the sealant that was going on the bridge, and was concerned that the sealant material would not do the job. She wanted to get spec sheets for the product that was decided on. Selectwoman Corson said that she liked the lights put on the project. Arthur Baillargeon asked why the lights were black. Ms. Perry said they were coated black because replacing them as concrete was almost impossible to find.

Ms. Perry next updated the board on the Kingston Road Transportation project, which started as a shoulder widening but they decided to pursue the sidewalks and had received state approval. They are wrapping up the design piece of it which will be submitted in October. The next stage is a review between the DOT and the town. It will go out to bid in late winter or early spring for a 2018 construction.

The Lincoln Street Phase 2 project has been in good progress and has gotten a lot of good feedback. She said it was intended to come back before the board with a final concept plan. Chairman Clement asked about the 15-day extension for the wastewater treatment plant. Selectwoman Surman asked if there was any follow up on that by Wright Pierce about their responsibility for the error. Ms. Perry said that Wright Pierce provided their time for the project and the survey work and that there was no charge for that.

Selectman Chartrand said that 4 members of the board had voted for the change order. Ms. Perry also said that it was the town's material and that it was something they would have had to pay for anyway, because the town owns the sludge and contaminated material which would have resulted in a higher initial bid. Selectwoman Surman said that the vote was on the change order, and that she was looking for a way to go back to Wright Pierce on it. The money could have been budgeted, but instead they were surprised by it.

c. Maintenance Projects and Process

Mr. Dean said that based on the issue with the public restroom project, they had exhausted the budget for maintenance projects. Some projects had been moved to the CIP or deferred. He suggested perhaps establishing a facilities committee. Chairman Clement asked if there was anything the town could do to track this better, and to prevent it from happening in the future. Mr. Dean said better communication and better management. Selectman Chartrand suggested hiring somebody who understood that communication up the channel is a good idea. Mr. Dean mentioned that the maintenance superintendent retired.

Selectwoman Corson said that the list shows that they are overspent for this year, and that the budget committee gave 100,000 dollars to maintenance projects. She asked if the maintenance list for 2018 had been compiled yet. Mr. Dean pointed out on the list where the board should be looking. Ms. Perry said that they get reassessed as to whether they will be included with 2018. Some projects are deferred. Some of the projects may have been completed. The intent is not to get them all done within a year.

Chairman Clement pointed out that maybe some things should have been CIP projects. Ms. Perry said that the CIP has a threshold of 25,000 dollars, and that many of the projects are more than regular maintenance and are recurring. Selectman Chartrand said they should be particularly careful about town hall projects.

Mr. Dean asked if there was any input for the maintenance superintendent job listing. Selectwoman Surman commented that it was a little repetitive. Selectman Chartrand said that the job description was developed as part of the non-union classification plan. Selectwoman Corson asked if the job was posted yet, and if not, when would it be. Mr. Dean said it would be posted by the end of the week. If the Board could get him input by the end of the week on the job description it would be good.

8. Regular Business

a. Tax Abatements and Exemptions

The first property is for the Congregational Church from the last meeting. Mr. Lessard, the town's assessor, gave a recommendation. Selectwoman Corson said that 14% was not being used for religious purposes, but said she did not want to piece out the land and was worried about setting a precedent. Selectman Chartrand pointed out that the organization can always appeal the decision.

MOTION: Selectman Chartrand moved to exempt 86% of 72-222E at 12 Center Street, which is 369,400 dollars. Selectwoman Surman seconded the motion, and it passed 4-1-0 with Selectwoman Corson voting nay.

MOTION: Selectman Chartrand moved that 14% of 72-222-2 at 12 Center Street, which is 59,600 dollars is taxable. Selectwoman Surman seconded the motion, and it passed 4-1-0 with Selectwoman Corson voting nay.

b. Permits and Approvals

MOTION: Selectman Chartrand moved to approve the use of the town hall facility and parking spaces by the Consensus Building Institute for the Northern Ocean Planning RPB meeting on 11/16/17. Selectwoman Surman seconded the motion, and it passed unanimously.

MOTION: Selectwoman Gilman moved to rescind the decision of September 25th, 2017 to deny tax exemption for the Historic New England's property. Selectwoman Corson seconded the motion. The motion failed because it did not achieve 2/3 of the vote, 3-2-0. Selectwoman Surman, Selectwoman Corson, and Selectwoman Gilman voted aye, and Selectman Chartrand and Chairman Clement voted nay.

Mr. Dean brought up the contract of MRI, and said that there was confusion over the amount of change in the contract. He wanted to have the board approve the change. The old value was 110,000 dollars, and the new value is 100,000 dollars.

MOTION: Selectman Chartrand moved to authorize the town manager to sign the addendum dated June 22nd, 2017. Selectwoman Gilman seconded the motion, and it passed unanimously.

Mr. Dean said there was a pole license off of Newfields Road for a line extension from Unitil. Selectman Chartrand suggested that the board hold off on it until more information could be brought forward, which the board agreed with.

c. Town Manager's Report

Mr. Dean said that Right to Know training was being offered to all the boards and committees on October 24th from 7:00-9:00pm. He said that town offices would be closed on Monday for Columbus

Day. There will not be a change in the trash schedule. He said they had received an updated version of the Hampton Sewer agreement. They had contacted the town two months ago with questions on rates, and public works is looking at it. He will bring it back to the board to review.

The next master plan meeting is on October 6th. They are getting closer to finishing it. He also said that the town is ordering a new American flag and state flag. The town had a meeting with public works, Matt Berube, Wright-Pierce, and Mr. Dean had about the town taking over a stretch of Route 85. There was also a meeting with the department of public works and Phillips Exeter Academy, where the new signals on Front Street were discussed. They also talked about having more frequent meetings with PEA.

Chairman Clement said that they had lost parking along that street, and that better communication was needed. He also suggested that PEA talk to the board of selectmen more regularly. Mr. Dean said that there are sometimes projects that don't require overview by the planning board, and that there is no set guideline other than the town ordinance. Selectwoman Corson said that of the parking increase, she stressed at the planning board that it was difficult for someone with no idea of the parking increase because it seemed that there was a parking decrease. Selectwoman Surman asked if the public can park at the new parking garage. Mr. Dean said that was how it was described. Chairman Clement said that maybe there should be a crossing guard at the crosswalks early in the morning, because both flashing lights are triggered when students are crossing.

d. Selectboard Committee Reports

Selectman Chartrand said that there was a water and sewer advisory committee meeting, where they talked about rolling out the rate setting process. They will have a discussion on the new rates on October 11th at 6:30pm. He also went to the Lincoln Street Public Input Session, and stressed the importance of that project. There was a budget recommendations committee meeting last week, and a master plan steering committee meeting on the 6th of October. He also thanked Selectwoman Gilman for the work on the Winter Street Cemetery.

Selectwoman Gilman said that the Winter Street cemetery work is ongoing, and there will be a workshop for the caring of cemeteries on October 14th. Selectwoman Surman said that there was an arts committee meeting, and the committee has shows coming up in October. They are working on a tribute to Kit Cornell. November will be the seacoast artists association, and they are preparing for the holiday season. She also attended the budget committee meeting.

Selectwoman Corson said there was a planning board meeting where they conditionally approved an addition to the Rinks at Exeter. They have dorm housing for up to 65 people, and a 7,000-foot addition to the entryway which will house an expanded shop and other activities. There is also a joint planning board and zoning board meeting on October 17th. She also attended a holiday parade meeting.

Chairman Clement had a river meeting, and the LOMR has been completed and sent to FEMA for review. The section 106 sign has been approved but the wording is being discussed, and being reviewed by the heritage commission and DHR. Members of Fish and Game and other departments did some river analysis and found that the herring count dropped from 200,000 to 100,000. Fish and Game paid for it. There was an EDC meeting, where John Tremblay facilitated a work session on guiding

principles and performance metrics for the EDC. He also went to a panel discussion on the Mill Dam in Brentwood.

e. Correspondence

There was a letter from Comcast that ESPN classic will no longer be available on November 7th. There was a note about the TAP program about the Kingston Road improvements for parking and pedestrian improvements. The heritage commission was asked to review a demolition permit at 12 Front Street to remove the rear L of the building. It was reviewed and decided to have a public hearing by the heritage commission. The commission later recommended against demolition. There was a letter from the Rockingham Planning Commission thanking the board for their support and that their dues for the upcoming year are due.

There was a request for the town manager from Racial Unity Team Exeter, for the Walk a Mile for Racial Unity on October 21st, and are requesting a waiver for the \$125 rental fee for the town hall.

MOTION: Selectman Chartrand moved to waive the \$125 rental fee. Selectwoman Surman seconded the motion, and it passed unanimously.

There was a note from Northern Utilities about relocating a gas line on the Court Street Bridge. There was a notice from the town's legal counsel that the Great Bay Kids Company has filed with the BLTA on their property tax exemption. There was another notice from Comcast XFINITY about municipal emergency reporting procedures. There was an update on the health trust and their offerings for FSAs. There was a letter from Alteration of Terrain Bureau about an alteration of terrain permit, requesting all records. There was a letter from NHDES regarding Continental Microwave looking for more information on the alteration of terrain permit issued to them.

There was a reference letter about the delay from the EPA on the wastewater treatment plant. There was correspondence from Brian Hart of the Southeast Land Trust about using Gilman Park as a dog park, and that it is not allowed per the easement. There was a notice that hazardous household waste collection is October 21st. Selectwoman Surman mentioned again that citizens shouldn't leave rocks on Swasey Parkways lawn because it could get caught in the lawnmowers. Selectwoman Corson mentioned that Victoria Arlen is on Dancing with the Stars and on Ellen, and that she is an Exeter resident.

9. Review Board Calendar

The next meetings are October 16th and 30th.

10. Non-Public Session

There was no non-public session.

11. Adjournment

MOTION: Selectwoman Surman moved to adjourn, Selectwoman Gilman seconded, and the motion passed unanimously. The meeting was adjourned at 10:45pm.

Respectfully submitted by recording secretary Samantha Cave.