

Draft Minutes
Board of Selectmen
10/16/17

1. Call to Order

Present are Anne Surman, Don Clement, Julie Gilman, Russ Dean, and Dan Chartrand. The meeting was called to order at 6:50 by Chairman Don Clement.

2. Board Interviews: Energy Committee. Renay Allen and Lew Hitzrot were interviewed for the committee.
3. Water/Sewer Abatements

Mr. Dean re-introduced this topic from the last meeting. The property is 13 Minuteman Lane, owned by LeeAnn and Ed Ouimette. The report from public works indicated that the leak occurred over a 34-day period with an average of 6,957 gallons per day. The owner was not at home while the leak was occurring. Generally, when the source of the water consumption is due to a leak on the customer's property, the customer will be held responsible and the department recommended a denial of the abatement. The department has no opinion regarding the water sediment issue. The Ouimettes are requesting a full abatement of \$634.90 for June and \$3,220.57 for the July bill.

Selectwoman Gilman said that the water consumption seemed very high for a leaking toilet. Selectwoman Surman said that there can be a one-time abatement granted, and that this particular case has been very difficult. Selectman Chartrand said that for the last year the board has generally denied abatements. He also said that he did some research and that it is entirely possible for that much water consumption when the toilet remains open for such a long amount of time. He believes that the board should be consistent in their judgements.

The Ouimettes emphasized the unpredictability of the leak and stated that had recently replaced all of the components of the toilets and the faucets. When they found the source of the leak, they immediately stopped it. It was suggested that they turn the water main off every time they leave the house. Mr. Ouimette said that the new parts were ruined by the sediment in the water. He also said that the board has the right to go over the average 50% abatement. The first amount of overage was 41,935 gallons of water. Their average usage is 2,500 gallons. Ms. Ouimette said that she feels as though the town was negligent because they were not sent a notification letter.

Mr. Dean pointed out that the water department does not do random checks, and that the department only comes out when there is a problem. The Ouimettes said that Matt Berube, from the public works department, agreed with their explanation of the situation. Chairman Clement disagreed, saying that he puts the paperwork together similarly in all cases. Selectman Chartrand also told the Ouimettes that normally people do not seek an abatement as aggressively as they are.

MOTION: Selectman Chartrand moved to deny the abatement for 13 Minuteman Lane. Chairman Clement seconded the motion. The motion tied 2-2-0, with Selectwoman Gilman and Selectwoman Surman voting nay, so the motion failed.

MOTION: Selectwoman Gilman moved to grant a 50% abatement for 13 Minuteman Lane in the amount of \$366.39 and \$1,794.59. Selectwoman Surman seconded the motion, and it passed 3-1-0 with Selectman Chartrand voting nay.

The Ouimettes asked if there was any sort of appeal process to gain the other 50% of the abatement. Chairman Clement said that he was not sure, and that it was more of a legal question. The Ouimettes also said that they thought that the bill should show their usage compared to the past usage.

4. Public Comment

There was no public comment.

5. Minutes/Proclamations

There were no proclamations.

6. Approval of Minutes

a. 9/25/17

Chairman Clement said that in page 1, they appointed Sally Ward and the motion needs to be added. In page 7, the last sentence is confusing and there is a typo.

MOTION: Selectman Chartrand moved to approve the minutes as amended. Selectwoman Surman seconded the motion, and it passed unanimously.

b. 10/2/17

Chairman Clement said that on page 7, it should be said that river channel work was done, and that Fish and Game paid for it.

MOTION: Selectman Chartrand moved to approve the minutes as amended. Selectwoman Surman seconded the motion, and it passed unanimously.

7. Appointments

There were no appointments.

8. Discussion/Action Items

a. Police Department Updates

Chief Shupe updated the board on various events within the police department. He said that the department is currently fully staffed, and a recent officer had graduated from the police academy. The department may lose three employees due to retirement, one dispatcher and two officers. Officer Petroski was named the DARE Officer of the Year for the state. He also said that warm zone training was continuing, where officers learn how to deal with an active shooter situation where the subject is barricaded in a large building. The fire department and other municipalities trained with the police department, and the training was at PEA. They will also train at other schools. He said that Captain Munck has been leading CRASE (Civilian Response to Active Shooter Events) trainings, which teaches citizens what they can do if an active shooter situation occurs. Also, Detective Nadeau is now a member of ICAC (Internet Crimes Against Children).

Chief Shupe also said that the department had received confirmation of four grants recently. One is for DWI enforcement, one for speed enforcement, one for distracted driving, and one for a handheld radar unit. There was also a bulletproof vest grant. The total amount of the grants is \$16,274. They also recently received mental health training for police responses to these issues, which was recently put to good use with a subject who appeared to be suffering from schizophrenia.

The department has made about 300 arrests this year, of which 48 were due to DWI. They also continue to stay on top of carbon monoxide detection in the police cruisers. They have not had the detectors go off since they were installed. Chief Shupe also said that people should remember that people on bicycles are subject to the same rules and regulations as motor vehicles. He suggested that bicyclists read town ordinances on the subject. A grant was given for pedestrian and bicycle enforcement.

Finally, Chief Shupe said that he is going to a chief's conference soon. He also said that APEX Mobile has offered the design of an app which will give any person who has the app downloaded the ability to make anonymous tips to the department, access public records, link to school resource officers and so on. The department had a recent lemonade stand initiative where they went to as many lemonade stands as they could, which was very successful. The department also had their first open house in September, which was a hit.

The selectboard thanked Chief Shupe for coming and for updating them. Chairman Clement asked if the department went back to Ford about the carbon monoxide issue. Chief Shupe said he is saving everything from Ford, and that they are still looking at the issue.

b. E-911 Committee

Dave Sharples said that a couple months ago the department of emergency services and communications completed the E911 mapping of Exeter, which they do to all municipalities. This mapping shows every building, address, and street name within the town. They also received a data capture acceptance letter which acknowledges receipt of the map-set and that it accurately reflects all addresses. To check the accuracy, they drove through every street to confirm the names and spot-checked several addresses. There was also the acknowledgement of non-standard addresses, which was an audit on the map-set to see what inconsistencies there are with addressing standards. It lists all the issues that are not consistent with the standards. There is also the data release agreement, which signifies that they understand the information is confidential except under emergency situations.

Kenny-Lynn Dempsey, of the state's emergency communications department, came up to answer any questions. Selectwoman Gilman asked if the data release agreement applied to mutual aid. Ms. Dempsey said that it did. Selectwoman Surman asked how the process worked. Ms. Dempsey said that now that the board has been notified, they will go through the list of issues and it is up to the town to make changes and find the ones that are the most relevant.

Mr. Sharples said that one reason why the E911 committee was created was so that they could look at the list and prioritize, which they will begin at their next meeting. Any changes will need to come to the board of selectmen. They will see if there are any duplicate names or other issues. They will also make sure that people are aware of any changes and why changes are being made.

MOTION: Selectman Chartrand moved that the board of selectmen approve the data release agreement and grant the permission to release the data to specific agencies. Selectwoman Gilman seconded the motion, and it passed unanimously.

MOTION: Selectman Chartrand moved that the board of selectmen approve and sign the acknowledgement of non-standard addressing. Selectwoman Surman seconded the motion, and it passed unanimously.

MOTION: Selectman Chartrand moved that the board of selectmen approve and sign the acceptance letter of data capture, which includes the mapping. Selectwoman Surman seconded the motion, and it passed unanimously.

Ms. Dempsey said that now that the data has been accepted, she will reach out to the liaison to get final copies of the maps.

c. Human Services Funding Policy

Selectman Chartrand said that he was at the budget recommendations committee meeting where this was discussed and that he was impressed with the unanimity of the opinion that the human services subcommittee should be continued. Selectwoman Surman asked if the policy was going to come back to the board at some point, and asked what the next action should be. Chairman Clement said that the budget recommendations committee moved that the human services subcommittee remain as an ad-hoc committee to review the human services budget.

Niko Papakonstantis, Budget Recommendations Committee Chair, said that he had asked that the decision had been postponed until the budget recommendations committee could meet, which the board of selectmen agreed to. The budget recommendations committee had a robust conversation and many concerns were considered. They came up with ways where the ad-hoc committee could be more transparent and how they could work with the board of selectmen. The consensus was that it was not a budget process but instead an application review process. He also said that the committee meetings are open to the public.

Selectwoman Surman said that one concern was the duplicative nature, where the budget recommendation committee doesn't need a subcommittee. Mr. Papakonstantis said that the committee agreed with that. Selectwoman Gilman said that they hadn't been thinking about the form of spending as grant spending, which it really is. Mr. Papakonstantis agreed and also said that he believes the process is already transparent to the voters. Chairman Clement said that he sees them as donations and not as grants. Selectman Chartrand said that the ad-hoc committee is getting the board to rethink their ideas, and that good points were made about their legal obligations to follow through and to make sure that the money given is meeting the mission of the town. He agreed that they are grants.

Mr. Papakonstantis talked about the newcomers to the committee. He also feared that the budget recommendations committee would not be able to give this issue the attention that it deserves. Chairman Clement pointed out that the human service funding policy was out of date, and wanted to come up with a more accurate policy. Selectman Chartrand suggested asking Mr. Dean to draft a policy reflecting current practices. Chairman Clement expressed his belief that the board of selectmen should have some kind of input. Selectwoman Surman asked if the current practice would be the 100,000-dollar

line item. Mr. Papakonstantis said that all of the current applications would be posted on the town website for review. Chairman Clement said that this doesn't put the applications on the ballot.

Selectman Chartrand said that he thinks that having the board of selectmen and budget recommendations committee set a budget amount that the town votes on is a good idea, because it allows the ad-hoc committee to follow through on those grants. Chairman Clement said that the organizations in the past were vetted by the budget recommendations committee. Mr. Papakonstantis said that for two years the budget recommendations committee has come back to the board asking if it is a budget matter. He also emphasized that it is a time-sensitive issue. Selectman Chartrand said that the role of the budget recommendations committee is to determine an amount. Chairman Clement said that it's what they did last year, and he felt like that was the way to do it.

MOTION: Selectman Chartrand moved to ask the ad-hoc human service committee to continue to vet organizations and to report their results to the budget recommendations committee and to the board of selectmen. Selectwoman Gilman seconded the motion, and it passed unanimously.

d. 2017 Riverwoods Tax Agreements

Mr. Dean started by saying that these are annual tax agreement from Riverwoods. He said there are no changes, except to the letter itself. Chairman Clement asked if there is a reason behind the changes to the letter. Mr. Dean suggested having a conversation with Riverwoods to better understand. Chairman Clement said that the only thing the board was going to approve are the agreements, which are standard. Selectwoman Surman asked how the letter fit into this. Mr. Dean said it was just information. Chairman Clement also said that it states that all residential units pay full tax rates, and that the nursing home facility does not pay any tax.

MOTION: Selectman Chartrand moved to approve and sign the agreement with Riverwoods regarding the Boulders, dated 10/16/17. Selectwoman Surman seconded, and it passed unanimously.

MOTION: Selectman Chartrand moved to approve and sign the agreement with Riverwoods regarding the Ridge, dated 10/16/17. Selectwoman Surman seconded, and it passed unanimously.

MOTION: Selectman Chartrand moved to approve and sign the agreement with Riverwoods regarding the Woods, dated 10/16/17. Selectwoman Surman seconded, and it passed unanimously.

e. 2017 Fund Balance Discussion

Mr. Dean said that each year the fund balance is discussed. Since 2013 they've had a fund balance policy discussing the goals of the unassigned fund balance. The town will have an unassigned fund balance of at least 5% of the total appropriations of the community. The audit just certified the tax rate setting fund balance at 3.7 million dollars. It's important to note that part of the fund balance is unavailable revenue which are taxes paid after the 1st of the year. The recommendation this year is to apply 600,000 dollars to the tax rate. That would bring the available amount to 3.016 million dollars for next year. If the board approves the recommendation, it would put the town at a tax rate of 7.09 and the tax rate would be level.

Selectwoman Surman asked if the fund balance is essentially a result of the funds that were not spent. Mr. Dean said that there is a beginning fund balance each year and then other things add or

subtract from it. The process has been to apply a certain amount of the balance each year to the tax rate. It is considered to be liquidity. Selectwoman Gilman said that the increasing revenue can make it look like the town hasn't spent money that they've asked for. She asked if, because the fiscal year is from January 1st to December 31st, and they don't vote on the budget until March, do they need to keep something in the fund balance. It was clarified that that was correct.

Chairman Clement asked how much the undesignated fund balance was. Mr. Dean said it was 3.7 million. Chairman Clement asked what was going to happen to the 344,000 in excess fund balance. Mr. Dean said that it is the amount left over after the 5% target has been met. It is essentially the new starting point going into next year. Selectman Chartrand said that the approach attempts to keep the tax rate stable. Chairman Clement asked where the revolving fund money was coming from the cable fund. Mr. Dean said that it is up in the other permits. It is a combination of the cable fund and other things from the town clerk's office other than motor vehicle permits. He said that it had been a great year for building permits. When we look at revenues, we should understand that they may not always reoccur each year.

MOTION: Selectman Chartrand moved that the board of selectmen apply 600,000 dollars of the undesignated fund balance to lower the tax rate. Selectwoman Gilman seconded the motion, and it passed unanimously.

f. 2017 School Impact Fees Release

Mr. Dean said this is a review of the schools' impact fee amounts. This year, at the K-5 level they have 166,765 dollars on hand. At the cooperative they have 106,591.72 dollars. This year they are suggesting that 100,000 dollars go to the co-op, which would go against the debt service for the high school bond which has another 6 years. And 100,000 of the 166,000 dollars would go to the local school district to offset the debt service on the kindergarten bond. The boards motion is to just release these to the schools.

MOTION: Selectman Chartrand moved to release a total of 200,000 dollars to lower Exeter's school tax rate, 100,000 would go to the cooperative school district and 100,000 would go to the local school district. Selectwoman Gilman seconded the motion, and it passed unanimously.

g. 149 Kingston Road Update

Chairman Clement introduced the subject by saying that there is a 30-acre parcel of land at this property, and the question is whether or not the board wants to split off a piece of that. Mr. Dean expressed his desire for the town to get out of the residential landlord business. He said there are some issues with carving pieces off the property and selling it and that it is more complicated than it looks. The town could offer the structure for sale and then the buyer would need to move the structure off the site, which would remove the residential use. One issue is seeing if there is any interest in today's market.

Mr. Sharples said that he could not find any information to support that because we did not own it in the mid-1990's. He suggested that maybe it was tried by the previous owner. Mr. Dean said that he did not know if there were conversations with the zoning board about proven hardship that would have allowed for the subdivision. Mr. Sharples said that generally the ZBA does not create their own arguments, and that it's the applicants burden to prove that they meet the criteria. Chairman Clement

said that the case was before the ZBA to seek relief from the minimum lot size. Mr. Sharples said that it didn't need ZBA relief when it went to the planning board. Subsequent discussions were about reducing the size of the parcel. He said that the lot has been altered significantly. The downside of that is that if there was a situation where the landfill contaminated the site, the city would have some liability.

Chairman Clement asked where the property has the most value. He said they could tear down the house, lease it out, et cetera. He was concerned with the liability to the town. Selectman Chartrand asked Mr. Dean about the liability. Mr. Dean said it was a concern. Selectman Chartrand said that that slows him down in wanting to sell the property. He suggested that the town get someone to move the house and otherwise should remove it. He thinks the structure has some value and maybe they should sell it, which would remove the obligation for upkeep.

Selectwoman Surman pointed out that they've been leasing property since 2001. She asked if the concern was liability to the current tenant or if they sell it to someone else. Mr. Dean suggested having the legal team analyze the issue. Selectwoman Surman asked why this issue is coming up now. Mr. Dean said that the real estate market as recently picked up and now the issue is coming back on the radar. Selectwoman Surman asked what kind of lease it is. Mr. Dean replied that it is an annual lease. Mr. Sharples said that there is a one-year option for renewal and that it is a rollover lease.

Chairman Clement asked if they had talked to public works about the value of the parcel of land. Mr. Dean said they had not. Mr. Sharples said they didn't talk about the residential use, but had talked about what they used the site for including a gravel pit, brush and stump recycling, composting, et cetera. It is also a staging area for contractors working on town projects.

Selectwoman Gilman said that she'd like to either sell the property or demolish it. Mr. Dean said that they could talk to the building department to get a sense of what is feasible. Mr. Sharples said that the key is an available lot in close proximity where they could put the structure. The board agreed to have the town manager and planner to research the cost of selling the structure or of moving it. Mr. Dean said that the inhabitant of the house is aware of what's happening.

Selectwoman Gilman asked about the design charrette for Franklin Street. Mr. Sharples said it is being put on by the Seacoast Workforce Housing Coalition and the Housing Advisory Committee of Exeter supports it. It is meant to start the conversation about affordable housing. They pick a site and do a presentation and hear from the community. And then they will create scenarios for affordable housing on that site. Selectwoman Gilman asked that the proponents of this be sent a link to the Franklin Street Area Survey from the heritage commission. Mr. Sharples said that they look at financial feasibility and then report back to the public.

9. Regular Business

a.

MOTION: Selectwoman Surman moved to approve the abatement for map 110, lot 2, unit 17 in the amount of \$203.66 for the year 2015. Selectwoman Gilman seconded the motion, and it passed unanimously.

MOTION: Selectwoman Surman moved to approve the abatement for map 110, lot 2, unit 17 in the amount of \$14.28 for the year 2016. Selectwoman Gilman seconded the motion, and it passed unanimously.

b. Permits and Approvals

Mr. Dean asked the board to make a motion to approve the MS-1 subject to any final utility changes.

MOTION: Selectman Chartrand moved that the board approve and sign the MS-1 for 2017, subject to any revision of the utility valuation. Selectwoman Surman seconded the motion, and it passed unanimously.

MOTION: Selectman Chartrand moved to approve the use of the town hall for an antique appraisal on 10/14/18. Selectwoman Surman seconded the motion, and it passed unanimously.

MOTION: Selectman Chartrand moved to approve the use of the town hall for a karate program, occurring on Tuesdays 10/3/17-11/14/17, from 5:30-9:00pm. Selectwoman Surman seconded the motion, and it passed unanimously.

MOTION: Selectman Chartrand moved to approve the use of the town hall for the Prescott Arts Festival on November 6th, 8th-13th, 19th, 25-27th and the main hall on the 20th-22nd. Selectwoman Surman seconded the motion, and it passed unanimously.

MOTION: Selectman Chartrand moved to approve the use of the town hall, the band stand, and the poster board on May 18th-20th, 2018 for the 2nd Annuals Arts and Music Festival. Selectwoman Gilman seconded the motion, and it passed unanimously.

MOTION: Selectman Chartrand moved to approve the use of the town hall and bandstand by Exeter Arts and Music for January 5th, February 2nd, March 2nd, April 6th, May 4th, June 1st, July 6th, August 3rd, August 31st, September 7th, and October 5th of 2018, and to have further discussion about poster board use and plywood use. Selectwoman Gilman seconded the motion, and it passed 3-1-0 with Selectwoman Surman voting nay.

Chairman Clement suggested reviewing the policy of the signage board at the next meeting.

Chairman Clement said that an application is being made to list the Raynes Barn on the NH state register. Selectwoman Gilman said that she thought it was a good idea. Chairman Clement asked if there was any downside to the decision. Selectwoman Gilman said there wasn't, and the upside was that it makes it easier to get on the national register of historic places. Chairman Clement asked if there are any maintenance requirements for the state register. Selectwoman Gilman said she didn't think so.

MOTION: Selectman Chartrand moved to authorize the town manager to sign the letter from and to the NH Division of Historical Resources approving the listing of the Wiggins-Raynes Barn on the NH Register of Historical Places. Selectwoman Gilman seconded the motion, and it passed unanimously.

c. Town Manager's Report

Mr. Dean had a reminder that the household hazardous waste day is Saturday. The budget committee starts their full committee meetings on Friday, next Wednesday they will start with night

meetings. The parks and recreation department has approached the town about the van, and have received questions about replacing it. They will present to the board on the 30th. String bridge is open to traffic and the sidewalks are complete.

The town is live in the new MUNIS system as of last Thursday. They are having a health trust meeting tomorrow to get the town's health insurance rating, the January pool is down by 8%, and the rates may drop further if the pool rating is adopted. They also received workers compensation and property liability which are both decreases from last year. Unemployment is up a little bit. They have been asked by some blind resident to relook at the Accuvote. They also ran some reports on the water sales consumption, and based on the last 4 years from 2013-2016 they averaged between 318 million and 324 million gallons per year. In 2017 it may drop to 306, and in 2018 it should be 305.8.

Selectman Chartrand said that Bob Kelly moved the rate hearing for the water and sewer advisory committee back a month, to be able to look at the changes and to look at work being done by the budget recommendations committee.

d. Selectboard Committee Reports

Selectwoman Surman said that she was unable to attend the conservation commission meeting. She will also be part of the hazardous waste day volunteers. Selectwoman Gilman said that the Winter Street Cemetery had a volunteer day which was well-attended. They found some bases to stones and more cleaning was done. There will be another volunteer day in the spring.

Chairman Clement said he attended the conservation commission meeting as a fill-in for Selectwoman Surman. They approved a new sign for Raynes Barn which is still required to be signed by LCHIP. There was some work by PEA to put in new dugouts in the softball field. And there was an approval to an exception for buffer requirements by Unitil to do powerline work to secure new guidelines to one pole. Also, a new development for a new warehouse on Continental Drive. Next Tuesday is the right to know training. He emphasized the importance of this.

e. Correspondence

Chairman Clement brought up a letter about the cable franchise renewal. He said he was disappointed by it. They are recommending that the town extend it for a year, and the town identify its wants and needs. He said last time there was more public outreach. He felt as though there should have been a public hearing. Mr. Dean said that there is an extension of the current agreement that would leave everything as-is for a year. They have had issues with getting compliance with Comcast in the past year. Selectman Chartrand said they are recommending an extension to continue to work on various issues. Chairman Clement suggested putting together a team. Selectwoman Surman said that they definitely need public input and maybe a committee. Mr. Dean said that one issue is the studio problem.

MOTION: Selectman Chartrand moved to approve and sign the extension of the cable television franchise agreement between Exeter and Comcast. Selectwoman Gilman seconded the motion. The motion failed 2-2-0, with Selectwoman Surman and Chairman Clement voting nay.

The board decided that the contract should reference the 2010 agreement.

There was a thank you letter for supporting the REP program, and said that the town is getting funds to offset the emergency management budget. There was a letter notifying them of the DARE officer of the year from Exeter. There were two letters thanking the residents of the town for social services funding. There was a letter from Unitil about their annual breakfast meeting.

10. Calendar

The first all-day budget meeting is on Saturday, and the next board of selectmen meeting is on the 30th.

11. Non-Public Session

There was no nonpublic session.

12. Adjournment

Selectwoman Gilman moved to adjourn. Selectman Chartrand seconded, and it passed unanimously. The meeting was adjourned at 10:30pm.

Respectfully submitted by recording secretary Samantha Cave.