

**Exeter Board of Selectmen Meeting  
Monday, August 6<sup>th</sup>, 2012, 6:50 p.m.  
Nowak Room, Town Office Building  
10 Front Street, Exeter, NH**

**BUSINESS MEETING TO BEGIN AT 7:00 P.M.**

1. Call Meeting to Order
2. Board Interview – Water/Sewer Committee
3. Bid Openings - Ambulance
4. Public Comment
5. Minutes & Proclamations
  - a. Regular Meeting: June 18<sup>th</sup>, 2012
  - b. Regular Meeting: July 9<sup>th</sup>, 2012
  - c. Regular Meeting: July 23<sup>rd</sup>, 2012
  - d. Non-Public Session: July 23<sup>rd</sup>, 2012
  - e. Special Meeting: August 2, 2012
6. Appointments
7. Discussion/Action Items
  - a. New Business
    - i. Swasey Trustees Update: Vendors/Road Reopening
    - ii. EMS Fund Update
    - iii. Exeter-Stratham Water/Sewer Draft Report
  - b. Old Business-
    - i. Water Street Interceptor Update
    - ii. Baggage Building Update
8. Regular Business
  - a. A/P and Payroll Manifests
  - b. Budget Updates
  - c. Tax Abatements & Exemptions
  - d. Water/Sewer Abatements
  - e. Permits
  - f. Town Manager's Report
  - g. Legislative Update
  - h. Selectmen's Committee Reports
  - i. Correspondence
9. Review Board Calendar
10. Adjournment

Matt Quandt, Chairman  
Board of Selectmen

Posted: 8/3/12 Town Offices, Library, and Departments

Persons may request an accommodation for a disabling condition in order to attend this meeting. It is asked that such requests be made with 72 hours notice. If you do not make such a request, you may do so with the Town Manager prior to the start of the meeting. No requests will be considered once the meeting has begun.

## Packet Overview – August 6<sup>th</sup>, 2012

### Business Prior to Regular Meeting – 6:50 p.m.

John Gilbert has submitted an application to fill the vacancy on the water/sewer advisory committee. He will be present Monday evening for the interview.

### New Business

Bid openings – There is a bid opening for an ambulance on Monday night. Discussions are ongoing with the Fire Chief about EMS revenues to cover the lease. It is the intent to pay for the ambulance out of the EMS revolving fund, with the first payment due in 2013.

#### New Business

Item #1: Representatives from the Swasey Trustees will be present to discuss various parkway issues with the Board. This will include a proposal on future vendors on the parkway. Chairman Quandt attended the Trustees meeting on Wednesday, August 1<sup>st</sup>. Mr. Perkins will also discuss the re-opening of Swasey Parkway to 2 way traffic, including reinstallation of speed bumps, proposed parking, etc.

Item #2: EMS Fund Update. This is a review of EMS fund revenues and projections. At the last meeting the question was raised about projections and what percentage of EMS revenues were going back to the general fund. The revised draft shows the latest numbers based on a review and projections. The ambulance payment has been programmed for 2013. The Board should take note that if the EMS fund pays for the ambulance in 2013, resulting general fund revenues will be adjusted to reflect a decrease of those fees going to the general fund.

Item #3: Exeter-Stratham Water/Sewer Draft Report. This report from Kleinfelder/SEA was released on Friday, August 3<sup>rd</sup>. A public meeting is scheduled for August 21<sup>st</sup> to report the findings of the draft report and have public discussion. This is the first opportunity for the Board to comment on the draft.

#### Old Business:

Item #1: Water Street Interceptor update. This is an update on the pending Housing Authority meeting on Wednesday August 8<sup>th</sup> to discuss Option B approved unanimously by the Selectmen at the July 23<sup>rd</sup>, 2012 meeting.

Item #2: Baggage Building Update. This will be a brief update on the revised schedule based on conversations confirmed by the NHDOT after the last meeting of July 23<sup>rd</sup>.

#### Other Business

Town Hall permit request – First Unitarian Universalist Church, Public Forum on proposed constitutional amendments, September 19<sup>th</sup>, 2012, 7:00 p.m..



Russ Dean &lt;rdean@town.exeter.nh.us&gt;

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**Fwd: Appointment Application**


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Sheri Riffle <sriffle@town.exeter.nh.us>  
 To: Russ Dean <rdean@town.exeter.nh.us>

Tue, Jul 31, 2012 at 8:06 AM

Water/Sewer Advisory applicant will attend.

----- Forwarded message -----

From: **John A. Gilbert** <john@synchronyadvisors.com>  
 Date: Mon, Jul 30, 2012 at 6:23 PM  
 Subject: RE: Appointment Application  
 To: Sheri Riffle <sriffle@town.exeter.nh.us>

Sheri,

I am pleased to attend the appointment on Monday, August 6<sup>th</sup>, at 6:50 PM. I will be at the Nowak Room in the Town offices at that time.

Thank you,

John



*John A. Gilbert*

*President*

*Synchrony Advisors, LLC*

*10 Myrtle Street*

*Exeter, NH 03833*

*Tel. 603-219-6538*

*Email john@synchronyadvisors.com*

*www.synchronyadvisors.com*

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**From:** Sheri Riffle [mailto:sriffle@town.exeter.nh.us]

**Sent:** Monday, July 30, 2012 11:31 AM

**To:** john@synchronyadvisors.com

**Subject:** Appointment Application

Good Morning John,

Thank you for your application to the Water and Sewer Advisory Committee. We would like to invite you to an informal interview with the Town Manager and the Board of Selectmen. I have scheduled you for 6:50pm on Monday, August 6<sup>th</sup>, which is just before the Board of Selectmen meet. The interview will be held in the Nowak Room at the Town Office on 10 Front Street.

If you don't think you will be able to make the interview, please let me know so we can determine a better day that will work for you.

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Sheri Riffle

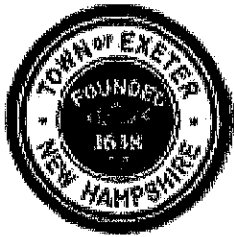
Town of Exeter

10 Front Street

Exeter, NH 03833

ph: 603-773-6102

fax: 603-772-4709



# Town of Exeter Boards, Commissions & Committees Appointment Application

Committee Selection:

1<sup>st</sup> Choice: Water & Sewer Advisory Committee 2<sup>nd</sup> Choice: \_\_\_\_\_

Name: John A. Gilbert

Address: 10 Myrtle Street, Exeter, NH 03833

Email: john@synchronyadvisors.com

Phone: 603-219-6538 Cell: 603-219-6538

Please describe your interest in serving on this committee.

I am very interested in serving on this committee on several levels. My professional training and experience includes a Master of Science in Civil Engineering and 30 years of work in the environmental consulting field. I currently chair the NH Water Council, and I currently chair the NH Water Sustainability Commission. The work of both the Council and the Commission are highly relevant to addressing water and \_\_\_\_\_ the Town, and

I am eager to use this experience for the benefit of the Town

Please provide any background information that would be of interest in your application, including previous committee service or other relevant information.

I am a licensed professional engineer in the States of New Hampshire, Maine, Massachusetts, and Vermont. I have two years of service on the NH Water Council and two years of service on the NH Water Sustainability Commission. I have attached a resume to this application.

*Vacancy -  
4/30/15*

\_\_\_\_\_  
ing your  
(attached)  
years of  
of service

\_\_\_\_\_  
reviewing my application.

Are you aware of any conflicts that could arise affecting your service on this committee?

I am not aware of any conflicts that could arise. Should the Town have a matter come before the NH Water Council, I would recuse myself from Water Council proceedings regarding that issue.

Are you aware of the meeting schedule and able to commit to attending regularly?  YES  NO

After submitting this application for appointment to the Town Manager:

- The application will be reviewed and you will be scheduled for an interview with the Selectmen
- Following the interview the Board will vote on your potential appointment at the next regular meeting
- If appointed, you will receive a letter from the Town Manager and will be required to complete paperwork with the Town Clerk prior to the start of your service on the committee or board.

Signature: *John A. Gilbert* Date: 23 July 2012

Please submit to: Town Manager, Town of Exeter 10 Front Street Exeter, NH 03833

**Curriculum Vitae  
of  
John A. Gilbert, P.E.  
10 Myrtle Street  
Exeter, NH 03833**

**Education:**

Williams College - June 1978  
B.A. Cum Laude, with Honors in Chemistry

Tufts University, Graduate School of Arts and Sciences - May 1980  
M.S. in Civil Engineering, Environmental Health and Engineering Program

**Employment:**

Founder and President  
Synchrony Advisors, LLC – 2008 through present  
Concord, New Hampshire

Interim Executive Director  
Neighborhood Housing Services of Greater Nashua, Inc. – 2010 through present  
Nashua, New Hampshire

Founder, CEO and Principal Engineer  
GeoInsight, Inc. - May 1993 through December 2008  
Manchester, New Hampshire

Environmental Engineering Group Manager  
Balsam Environmental Consultants, Inc. - January 1987 through April 1993  
Salem, New Hampshire

Platoon Leader and Second Lieutenant  
Company D, 368<sup>th</sup> Engineer Battalion (Combat Heavy) - 1984 through 1986  
U.S. Army Reserve  
Concord, New Hampshire

Assistant Project Engineer, Associate Project Engineer, and Project Engineer  
Roy F. Weston, Inc. - July 1980 through January 1987  
Concord, New Hampshire

Laboratory Analyst and Teaching/Research Assistant  
Energy Resources Co., Inc., Tufts University, and National Council on Air & Stream  
Improvement – September 1978 through June 1980  
Cambridge and Medford, Massachusetts

**Professional Certifications and Activities:**

Licensed Professional Engineer in Maine (1987 – present), Massachusetts (1987 – present), New Hampshire (1984 – present), Ohio (1989 – present), and Pennsylvania (1989 – present)

Mentor, Green Launching Pad Project, University System of New Hampshire/New Hampshire High Technology Council – Spring 2010

First-Year Project Evaluator, Tuck School of Business, Dartmouth College – Spring 2010, Fall 2010, Spring 2011, Fall 2011

Corporator, Merrimack County Savings Bank Holding Company, Concord, New Hampshire – March 2010 through present

National Diploma, National Soccer Coaches Association of America – June 2009

United States Soccer Federation National “D” Coaching License – August 1999

**Civic Involvement:**

New Hampshire Water Sustainability Commission  
Chair, May 2011 through present

New Hampshire Water Council  
Chair, December 2010 through present

Concord Area Trust for Community Housing, Inc. (CATCH)  
Concord, New Hampshire  
Board of Directors - January 1998 through 2006  
Project Committee – 2003 through present  
Asset Management Committee – 2002 through present  
Facilitator, Strategic Planning – 2007 and 2009

Leadership New Hampshire  
Concord, New Hampshire  
Graduate, Class of 1998  
Instructor, Environment Day - 1999 through 2002  
Member, Alumni Committee – 2007 through 2008  
Member Board of Trustees – June 2010 through present  
Chair, Alumni Committee – September 2010 through present

New Hampshire Center for Non-Profits  
Concord, New Hampshire  
Chair, Board of Directors – June 2011 through present

Member, Board of Directors – June 2010 through present  
Member, Governance Committee – June 2010 through present

Audubon Society of New Hampshire  
Concord, New Hampshire  
Member, Board of Trustees – 1999 through 2008  
Chair, Board of Trustees – 2004 through 2006  
Vice Chair, Board of Trustees – 2002 through 2004  
Chair, Development Committee – 2007 through 2008  
Chair, Finance and Audit Committee – 2001 through 2002  
Chair, Financial Analysis Task Force – 2000 through 2001  
Member, Finance Committee – 1999 through 2002  
Member, Environmental Policy Committee – 2007 through 2008

Environmental Business Council of New England  
Boston, Massachusetts  
Member - 1995 through 2007  
Director – 2002 through 2005

New Hampshire Business and Industry Association Member  
Concord, New Hampshire  
Environmental Affairs Committee - 1993 through 2006  
Economic Development and Fiscal Policy Committee – 2008 through present

Coach, Freshman/Junior Varsity Girls Soccer Team – 2008 through 2011  
Concord High School  
Concord, New Hampshire

Concord Express Soccer Club  
Concord, New Hampshire  
Board of Directors – March 2009 through January 2011  
Coach - January 1996 through November 2003 (New Hampshire Soccer Association  
Level “F,” “E,” and “D” Licenses)  
Coaching Committee - 1999 through 2003  
Member, Board of Directors – May 2009 through July 2010

City of Concord Recreation Programs (T-Ball and Soccer)  
Concord, New Hampshire  
Coach - 1983, 1995; Assistant Coach - 1993, 1995-1996

South Congregational Church  
Concord, New Hampshire  
Member, Choir - 1992 through 1995  
Chair, Organ Refurbishing Fund Campaign Committee - June 1992 through June  
1993

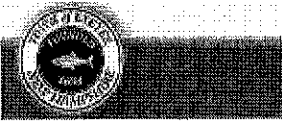
Member, Board of Trustees - June 1993 through May 1994  
Chair, Board of Trustees - June 1994 through February 1997  
Deacon - June 1998 through present  
Member, Capital Campaign Committee - January 1996 through July 1996  
Member, Self-Assessment Committee - January 1999 through May 1999

Superfund Reform Task Force (advisory to Congressman Zeff, New Hampshire 2<sup>nd</sup>  
Congressional District)  
Member - Fall 1994



Bid List for: Ambulance

	Date Opened	Date Received	Organization	Price	Notes
1					
2					
3					
4					
5					
6					
7					
8					



Sheri Riffle <sriffle@town.exeter.nh.us>

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## Agenda Item for Monday

1 message

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**Ken Berkenbush** <kberkenbush@town.exeter.nh.us>

Thu, Aug 2, 2012 at 4:24 PM

To: Sheri Riffle <sriffle@town.exeter.nh.us>

Cc: Brian Comeau <bcomeau@town.exeter.nh.us>, Ken Berkenbush <kberkenbush@town.exeter.nh.us>

Hello,

Could you place the Ambulance bid opening on the agenda for Monday August 6, 2012 selectmens meeting. Any questions please contact Chief Comeau.

Thanks

Ken

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Please note my new email address:  
kberkenbush@town.exeter.nh.us

**1. Call Meeting to Order**

Chairman Matt Quandt convened The Board at 7:01 pm in the Nowak Room of the Town Office Building. Other members present were Selectman Frank Ferraro, Vice Chairman Don Clement, Selectman Dan Chartrand, Selectwoman Julie Gilman and Town Manager, Russ Dean.

**2. Board Interviews**

The Board interviewed two candidates for positions on Committees: Bob Richardson, applicant for the Arts Committee, and Jeff Dube, candidate for the Planning Board. After completing the interviews, the Board moved to the Nowak Room for the regular business meeting.

**3. Public Comment**

Mike Dawley, Exeter Resident comes forward to express his thoughts on the Swasey River Parkway. Mr. Dawley reflects on a riverfront walk he took with his family. They walked from String Bridge to the end of the Parkway. Upon arrival at the Academy Boat House, it was discovered that a padlock was preventing them from walking on the sidewalk. He did not that he found a maintenance person, and that person indicated that the lock is permanent and cannot be removed. He requests the Board of Selectman research the history of the padlock, and its necessity. Mr. Dawley was on the Exeter Planning Board when the Boat House was approved in the early 1990's. The Boardwalk was put in next to the boathouse. He believes there was once an agreement in place between the Town of Exeter and Phillips Exeter Academy regarding use of the boardwalk. He also requests the Board ask PEA to indicate the reason for the padlock in writing, including the status of the walkway. He is concerned that other residents may have found the same to be true and it is disconcerting to him. Chairman Quandt agrees to look into the matter and asks Mr. Dean to reach out to PEA. Mr. Clement notes the Boat House Manager or the Facilities Manager at PEA might be a good place to start.

Bob Prior of Pickpocket Road comes forward. He wishes to express his support and gratitude to Mr. Perkins for finding a solution for the Farmer's Market to open on Swasey Parkway. He is happy a solution was found to accommodate both traffic and the Market, which he feels is an important asset to the Town of Exeter. Chairman Quandt notes that the Farmers Market is on the agenda and asks the public to hold their comments to this topic. Cynthia Young, Exeter Resident cites the Robert Rule and asks Chairman Quandt to please move the agenda item relating the Farmer's Market to the top of the agenda. Chairman Quandt agrees and opens the floor for public comment relating to the Farmer's Market.

Cynthia Young, Walnut Street comes forward to express her appreciation of the solution found by Mr. Perkins to keep the traffic flow on Swasey Parkway and also keep the Market Open. She thanks the Board for their support. She frequents the Market with her children and expresses her gratitude that an amicable solution could be found.

Michael Schidlovsky, Exeter Chamber of Commerce comes forward to express his appreciation to the Town of Exeter Employee's and the Board of Selectman for finding a solution to the Farmer's Market location. He commends the Town for helping to keep the Farmer's Market open.

Janet Tucker, Road Street comes forward to express her appreciation to the Board for helping keep the Farmer's Market open. She notes the Farmer's Market is one of the various reasons she loves living in Town.

Susan Gorman, Garfield Road shares the same sentiment as the public speakers before her. She notes that she attends the Market regularly and makes many purchases. She feels the Market is a cornerstone of the community and has more than just commercial importance. She feels the situation could have become gnarly, and is thankful that an amicable solution could be found.

Renee O'Barton, Blanche Lane expresses her opinion of the solution found for the Market. She recognizes that many residents love the Market and utilize it. She is concerned that the location of the Market paired with the current construction surrounding the Swasey Parkway area has caused commuters to have doubled travel time. As some of the roads surrounding the area are already closed due to the culvert projects, having the Parkway closed had doubled her commute for the day. As she understood it, the Farmer's Market was expected to remain closed while Water Street was under construction. There was last second notice that Swasey Street was suddenly closed, and there was no traffic control or management. She questions who authorized this sudden change in traffic patterns, road closures and if the Board was consulted.

Matt Halfman of the Exeter Area Chamber of Commerce expresses his appreciation on behalf of the retail owners for keeping the Farmer's Market open.

#### **4. Minutes & Proclamations**

##### **a. Regular Meeting: May 21, 2012**

Mr. Ferraro wishes to scratch "Mr. Chartrand's opinion" and insert "Mr. Chartrand's Statement" should be inserted on page 6, in the first paragraph. Ms. Gilman notes a change to the minutes is not required for her statement, she only wishes to clarify something that Mr. Griset mentioned at the last meeting. Regarding the Conservation Law Foundation, Mr. Griset indicated that the Foundation is suing the Town of Exeter. She does not believe this to be the case and indicates that the foundation has made a motion to intervene on the current suit relating to the Great Bay. She further explains they're not suing the Town of Exeter, and the Foundation is working with DES to resolve the issue. Mr. Clement notes it is not a change proposed to the minutes, but a clarification of facts.

**Mr. Chartrand moves to accept the minutes with the proposed changes of Mr. Ferraro. Ms. Gilman Seconds. Vote: Unanimous**

##### **b. Regular Meeting: June 4, 2012**

These minutes will be reviewed and voted on at the next meeting.

#### **5. Appointments – None This Evening**

#### **6. Discussion / Action Items**

##### **a. New Business**

##### **I. Public Hearing: CDBG Grant / Meeting Place Phase 2**

**Mr. Clement moves to open public hearing on the Community Development Block Grant Application. Mr. Chartrand Seconds. Vote: Unanimous.**

Donna Lane presents the summary of the Community Development Block Grant process. First, she clarifies that this project is considered phase 3, not phase 2. Phases 1 and 3 are through the Town, and phase 2 was a CDBG through the County. She notes that Phase 1 is complete and occupied as family units. Phase

2 are senior units and will be complete and ready for occupancy next month. Phase 3 will be slated for families with a minimum of 32 new units.

She states that the Community Development Block Grant funds are available to municipalities throughout the NH Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for economic development, public facility and housing projects and emergency activities that directly benefit low and moderate income persons. Up to \$12,000 is available for feasibility study grants.

The purpose of this Community Development Block Grant funding request is a proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant funds. The Town will retain up to \$25,000 for administrative costs. The remaining funds, \$475,000, will be sub-granted to FKP, LLC for the construction of at least 32 units of affordable family units at Meeting Place Drive in Exeter, NH 03833. The CDBG funds will finance a portion of the site development costs.

This project conforms with Exeter's Housing and Community Development Plan's Goal of: Goal – The Town of Exeter should seek to promote an environment within which each resident can secure adequate affordable housing in a safe, health and attractive neighborhoods, with good quality water and waste water systems. (Short and long term goal)

Chairman Quandt calls for comment from the Board, or the public. There is no comment.

**Mr. Chartrand moves to close the public hearing on the Community Development Block Grant Application. Mr. Clement Seconds. Vote: Unanimous.**

**Mr. Clement moves to open the Public Hearing on Residential Anti-displacement and Relocation Assistance Plan. Mr. Chartrand Seconds. Vote: Unanimous.**

Donna Lane indicates that although this project does not involve any displacement or relocation of persons or businesses, if the Town were to undertake a CDBG project which involved displacement or relocation, they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons displaced or relocated. Mr. Dean notes a new public hearing is unnecessary. At every approach for new funding, the Anti-displacement Assistance Plan must be adopted.

Chairman Quandt calls for comment from the Board, or the public. There is no comment.

**Mr. Clement moves to close the Public Hearing on Residential Anti-displacement and Relocation Assistance Plan. Mrs. Gilman Seconds. Vote: Unanimous.**

**Mr. Clement moves to open the public hearing on the Exeter – Hampton Cooperative. Ms. Gilman Seconds. Vote: Unanimous.**

Donna Lane cites the Exeter – Hampton Cooperative CDBG Project is the upgrading of the water and sewer system within the 52 unit park. The project is currently being designed, with it anticipated to go out to bid in August with a construction start up of September. Final work items to be complete by the Spring of 2013.

Chairman Quandt calls for comment from the Board, or the public. There is no comment.

**Mr. Clement moves to close the public hearing on the Exeter – Hampton Cooperative. Ms. Gilman Seconds. Vote: Unanimous.**

**Mr. Clement moves the Selectman votes to approve the submittal of the application and vote to authorize the Town Manager to sign and submit the application, and upon approval of the CDBG application, authorize the Town Manager to execute any documents which may be necessary to effectuate the CDBG contract. Ms. Gilman Seconds. Vote: Unanimous.**

**Mr. Clement moves the Selectman vote to adopt the Residential Anti-displacement and Relocation Assistance Plan. Mr. Chartrand Seconds. Vote: Unanimous.**

## II. Proposal – Exeter Ferry Company

Keith Noyes, Exeter Resident wishes to thank The Board for the opportunity to present his request to use the Town Dock for a small boat tour business. He plans to purchase a pontoon boat and begin offering tours of the Swampscott and Great Bay area, for up to six passengers at a time. He believes this new business will benefit the Town in many ways including supporting local businesses by bringing tourism to the Water Street area. He also looks forward to offering ecological and historical tours along with educational tours. All of the tours would be scheduled around the tide schedule and he intends to charge \$25 per person for adults and \$20 per person for seniors, children, students and military personnel. Mr. Noyes notes that many Exeter residents have expressed their support of this business to him and he hopes his business might spark and revitalize the effort to improve the shore side.

In hopes to deter concerns raised by the Board, he indicates that a permit fee and the insurance requirements would help to deter other commercial businesses from using the dock. He notes that many NH municipalities, including the Department of Economic Resources allow use of their docks and piers.

Mr. Noyes believes he has the expertise and experience to in essence, adopt the dock, including inspecting it and performing any necessary repairs and future maintenance. The current Town Ordinance limits the use of the dock to loading and unloading of passengers. He does not intend to interfere with this public usage. The dock has two sections in which a boat can be tied up, allowing two boats to be tied to the dock at a time. Mr. Noyes does not believe there is any ecological risk in his business proposal and his hope is to foster appreciation and new found respect for these types of resources. He has provided the Board with a draft of his proposed changes to the current

ordinance. Chairman Quandt wonders if the dock were inspected and repaired, would it need to be updated to comply with the American's with Disabilities Act requirements. Mr. Clement believes if the dock will be used commercially, these requirements must be met and would require upgrade. Mr. Noyes is unsure if the requirement regarding ADA is different for commercial or non commercial use. Mr. Chartrand asks Mr. Dean, in regard to the General Liability Insurance requirements, is the amount consistent with other events at other locations. Mr. Dean indicates that is.

Mr. Clement notes his concern at changing the ordinance to the specified recommendations. He feels the proposed changes are created specifically for Mr. Noyes' use. He is more comfortable keeping the old ordinance and would be willing to consider granting a waiver to Mr. Noyes. Ms. Gilman confirms that a waiver could be approved by a vote, by the Board of Selectman. Mr. Clement is concerned that the suggested changes are very specific considering another commercial use may not have anything to do with passengers. Ms. Gilman agrees the proposed draft has many fine features that are specific to this business.

Mr. Noyes advises he has met with the Harbor Master who was more comfortable limiting the dock usage to six passengers. Mr. Clement feels the ordinance needs to be broader, and less specific to this business. Mr. Chartrand asks Mr. Noyes when he intends to have this business up and running if it's approved. Mr. Noyes indicates that he would like to open his business next year, 2013, by the end of May. He has talked with a small business administration regarding financing and they are supportive but unwilling to offer financing without his securing use of the dock. Mr. Noyes indicates he will need some form of action from the Board by September in order to open in the spring.

Mr. Ferraro believes this could be handled by a waiver as opposed to modifying the ordinance on commercial use. The conditions set forth in the proposed changes could be set forth into the waiver. This would accomplish allowing the ordinance to remain non-specific. He wishes to continue to protect the Town and satisfy the Harbor Masters requirements. Chairman Quandt again indicates he'd like to know what upgrades need to be made to the dock. Mr. Noyes agrees to evaluate the dock when it is pulled up by PEA, and he has already performed and initiation inspection. He does not believe the dock will need to be completely rebuilt. Mr. Chartrand asks Mr. Dean to review the circumstances and offer a recommendation on how to proceed with either the modifications or the waiver. Ms. Gilman would like the Board to consider the two options prior to the next meeting. Mr. Clement agrees with Mr. Ferraro's recommendation and adds that the Selectman have the authority to grant waivers for commercial permitting without being so specific. Mr. Ferraro adds that his recommendation allows for rewriting the waiver if it's necessary instead of rewriting the ordinance again.

Mr. Clement express his concern regarding mixing recreational and commercial use of the dock. He notes the Towns of Newfields and Durham are just up the river and they do not mix usage. Mr. Clement reflects that the

dock is for recreational use and another dock is soon to be constructed and was recently approved. He wonders if Mr. Noyes has considered using that option. Mr. Noyes indicates he has previewed the site of the dock Mr. Clement is referencing and does not believe he could safely maneuver a boat in that location. Mr. Clement expresses his concern again. Allowing commercial use of the dock could lead to many other commercial businesses wanting to gain access such as kayak rentals or other such businesses. In his opinion, this is not a good mix, though he appreciates the thorough presentation.

Ms. Gilman feels the Board might consider evaluating the insurance requirements for this activity, as it is unique compared to what the Town normally approves for activities. Mr. Ferraro notes that if modifying the ordinance is an option, Town Counsel should be consulted to draft new language so the Public Hearing process can be started as its very time consuming. He would favor adding the provision that an applicant can come and ask for a waiver, as opposed to modifying the use of the dock itself. Mr. Dean agrees to seek language drafts from Town Counsel. He also points out that this type of waiver could raise the issue of equity. The Board changes every three years. With that said an approved waiver could be declined by a future board. A permitting process will need to be established as this is a new area for the Town.

Don Woodward, Exeter resident comes forward to indicate he feels this is a great proposal. He wonders if the government process for this type of situation is to hold a public hearing to enact a new zoning ordinance or hold a Town vote to modify and ordinance. Mr. Dean responds that the Board of Selectman can adopt a change to general ordinance without a Town vote, provided they meet the standard of three public hearings. The Board consensus is that Mr. Dean will review the proposal and make recommendations. The basic issue can be addressed at the next Selectman's Meeting and the process can move forward from that point.

### III. Proposal – Natural Gas / Electricity Purchase

Mr. Dean summarizes the proposal for natural gas purchase. Two vendors have approached the Town of Exeter, one of which has already worked with the Chamber of Commerce. The proposal is to purchase natural gas through a conglomerate group of various entities. In May, the proposal was presented for a fixed price cost of \$10.26 per dekatherm of natural gas. The current rate paid by the Town to the current vendor is \$13.30. This contract would allow the Town to buy energy directly from Sprague Energy, a local entity, at the fixed cost, essentially saving an estimated \$15,000 - \$24,000 per year. The Board has been suggesting the investigation of fixed price proposals for natural gas. Eleven year savings of 15-24k. Board has been suggesting we look at natural gas and fixed price proposals. The agreement is flexible and can be negated after a year.

Mr. Clement feels this is an attractive offer and any opportunity to save money should be considered. He wonders what the risk to this proposal is.



Mr. Dean feels there is little to no risk in this proposal. The Town would be locked in at the set quantity and price. The quantities are very reliable and he does not expect to use less than they are offering, in fact he expects the Town will use more. There is a commitment to a minimum amount and that amount is based on estimated quantities. If there is a rise in price that goes beyond a negotiated amount, Sprague will come back to renegotiate the terms. A rise in price has not been the recent trend.

**Mr. Chartrand moves to authorize the Town Manager to execute a contract for natural gas with Sprague Operating Resources, LLC in the amount of \$10.11 per dekatherm for a period of one year. Mr. Clement Seconds. Vote: Unanimous.**

Mr. Dean summarizes the proposal for purchasing electricity. The current vendor of electricity is Constellation Energy. He notes in recent months, the cost of energy has declined. UNG has offered a contract at 7.11 cents per kilowatt hour through 2014. This cost would be slightly higher if the contract were extended through 2013. The current rate held with Constellation Energy is 7.898 cents per KWH. Mr. Dean suggests the Board allow him to negotiate a rate in order to generate savings. The question is how far in advance those negotiations should be through. Going through 2014 will provide better rates. Mr. Clement wonders if the rate will remain stable. The possibility of the rate going lower than the negotiated rate is there. Mr. Dean indicates there are too many variables to predict if negotiating a fair rate and locking in could leave the Town subject to over paying. He believes negotiating will generate a better deal than is currently in place. The current contract has one year left and could be used as a "blend and extend." This would calculate to the current rate blended with 6.60 cent rates, essentially arriving at around 7.10 cents per KWH. Mr. Dean notes that not accepting the proposal is also an option. The Town would continue under the current contract and this issue will be raised again at its end and he points out the market is currently favorable.

**Mr. Chartrand moves to authorize the Town Manager to extend the current electricity contract with Constellation New Energy with the terms to be determined, but less than the current contracted amount of 7.898 cents per KWH, through December 2014. Ms. Gilman Seconds. Vote: Unanimous**

#### **IV. Update – Town Treasurer Process**

Mr. Dean indicates there have been three applicants so far, one of which has had to decline. Ms. Sue Dillon is a current employee at the school and performs a very similar job function. Mr. Allen Corey, CPA is a current member of the Budget Committee. Mr. Dean has met with both candidates. He appreciates that they've each stepped up to assist the Town. He believes that having a Deputy Treasurer is a good idea given the circumstances. Everyone agrees it would be nice to have a back up in the case that one is unable to perform the job. There is an RSA that allows for this scenario. The Deputy Treasurer would be appointed by the Treasurer with the approval of the Board of Selectman.

Mr. Ferraro raises the point that an applicant that is appointed by the Board could be seen at the next election as encumbered. He is concerned that while the Board has the authority to appoint a Treasurer for the next eight months, this could be viewed by the voters as an endorsement for that candidate. As a solution, he wonders if it's possible to temporarily appoint a financial institution to act as the Treasurer. Mr. Dean does not believe there is an RSA that speaks to that circumstance and notes this is a Town Office position. He is unsure if appointing a bank as Town Treasurer is possible. Mr. Chartrand believes the appointed person needs to be a citizen of the Town and that a financial institution would not qualify. Mr. Ferraro points out that it could be a business in the Town.

Mr. Clement does not feel an appointment by the Board would be seen as an endorsement. He sees it as appointing a replacement candidate to fill a position that needs to be filled. He has not reviewed the resumes or met with the candidates, but feels it's urgent to appoint someone as the current Treasurer's retirement is effective on June 30<sup>th</sup>. Chairman Quandt advises the position needs to be filled immediately and he would like to interview the candidates this week. Mr. Dean agrees to copy the resumes to the Board members. Mr. Clement wonders if the application period should be closed. Mr. Dean indicates the position is treated as vacant until filled. Mr. Ferraro would prefer to leave the application period open, on the chance that another candidate submits a resume. The applicant can be screened by Mr. Dean and the Board can decide if they'd like to interview an additional person. Mr. Dean adds that the administrative process to fill the position needs to be initiated as soon as possible.

#### **V. Update – DPW Capital Projects**

Mr. Perkins, DPW updates the Board on the Swasey Park project. He feels the project is moving along nicely and notes all of the culverts are in. The water lines are in process today and should be completed sometime tomorrow with final grading and paving on Thursday. The Parkway will be next. Mr. Perkins feels Water Street could be reopened as soon as Thursday evening, but could be Friday. Mr. Clement notes he has spent some time watching this project progress and finds it impressive to watch the amount of work and effort exhausted to put these water lines in. He commends the DPW for an impressive and efficient job. He thanks the residents of that area for their patience and notes everyone is looking forward to two-way traffic resuming on Water Street.

Mr. Ferraro questions the traffic pattern coming up after Water Street is closed after Fourth of July, he wonders what exactly will be open for travel. Mr. Perkins indicates the road will be widened and barricades will be put up fifty feet beyond the green utility building. There will be plenty of space to drive in and turn around, including parking available on Swasey.

Mr. Chartrand thanks Mr. Perkins for his efforts. He praises the efforts of Mr. Perkins, the Police and Fire Departments and the Town Manager for working to a solution for the Farmer's Market. He feels it is an engine of economic

prosperity for this region. Mr. Perkins addresses the concerns of Renee O'Barton. He indicates it was his idea to put the traffic to the right allowing emergency vehicles passage via Portsmouth Ave. He indicates he changed the message board, and added the new pattern to the website and proceeded with the plan as his decision. He advised the Chairman and it was decided it could work, as it's important to keep the Market open. Chairman Quandt remarks that Mr. Perkins showed good initiative and he endorsed the decision. Mr. Perkins agrees that not everyone can be happy, but the solution will work as best as possible for all involved parties.

Chairman Quandt notes the PEA graduation caused some congestion on the roads as well, he wonders if Epping Road is the best corridor to use. Mr. Perkins indicates either route is sufficient. Ms. Gilman notes that school is out and that could also contribute to the abnormal amounts of traffic. Mr. Clement notes he does not wish to disregard Ms. O'Barton's concerns about traffic and agrees Portsmouth Ave is a little more crowded than usual. Trying to draw a balance with the Market and every resident is impossible. Some lessons have been learned and this is a situation the Town can get through.

Ms. Gilman indicates that there is a possibility the "No Dogs" sign is missing at Water Street and Mr. Perkins agrees to look into it. Chairman Quandt asks when the painting for crosswalks and parking will begin. Mr. Perkins indicates the weather plays a big factor in the time frame for that, and as it stands, if there is no rain, all of the hand work will be done by Thursday morning.

Mr. Ferraro asks Mike Favreau if an arrangement has been worked out for the Summer Concert Series and the Farmer's Market. Mr. Favreau indicates it is a slight inconvenience, but it's a doable situation. Mr. Perkins points out all concerns have been addressed to the best of their ability.

Ms. O'Barton expresses her concerns and opinion to the Board. She feels the traffic and safety are a serious problem for Newfields Drive. There was no authority to change the agreement that was in place with the Market. She notes that anything that takes place in the road is jurisdiction of the Board. Chairman Quandt indicates there was nothing wrong with the Board, and he was not speaking for or trying to constitute the entire Board. The original agreement had allotted for the location. Ms. O'Barton understood Mr. Dean's explanation of the agreement as the Market would not operate in Swasey Parkway for as long as Water Street was closed. Chairman Quandt indicates that was a possibility.

Mr. Chartrand believes he has a fundamentally different idea of how the Board of Selectman works that Ms. O'Barton. He reminds the Board and public that he ran for the election to the Board of Selectman with one item on his platform. He promised to turn the Town Manager and his employees loose, to create economic development in this Town. He notes his election was won with 60% of the vote. He believes there was a decision, by the people of this town, that this is how they wish for it to be run. Ms. O'Barton

notes that her conception of how the Town should be run is in conjunction with the RSA's.

Mr. Ferraro reviewed the draft minutes of June 4<sup>th</sup>, and it is found that they do indicate the Market was not to be opened in Swasey Parkway. A short discussion is in the minutes to reflect previous years when alternative sites would be worked out. In Mr. Ferraro's opinion, that meant an alternative location would be found, he believes this is a logical conclusion. He does not think it unreasonable for people to believe it would remain closed as the Board was speaking of alternative locations. Mr. Chartrand notes that Mr. Perkins was not privy to that conversation, as he was not in attendance at the meeting. He applauds Mr. Perkins objective to finding a solution and making it work in its official location. Chairman Quandt feels the solution that was worked out was acceptable.

Mr. Ferraro requests an update from Mr. Vlasich regarding Water Street. He wishes for an answer to his specific questions relating to negotiations with utility and the interceptor along with a plan going forward. There was a specific date by which the funds needed to be spent in order to be eligible for the stimulus funds. Mr. Dean indicates he can get it on the agenda and is prepared to offer a small report if needed. The design plan for the interceptors is in process. Jady Hill Phase I water main is complete on Hall Place and half of the services are restored. The other two locations are near completion. The bonds have been realized and they are ready for the Board to sign them. These are the result of the June 12<sup>th</sup> bond sale. The bonds will fund Waste Water Facilities, Jady Hill Phase II and the Culverts. The Net interest cost is 3.19%.

## **b. Old Business**

### **a. Bid Openings**

Mike Favreau – Recreation Director presents his recommendation to award the bid for the replacement of the pool filter to Northern Pool for \$49,633.00. The bid request was sent to three local firms and was advertised. Northern Pool has done some smaller work for the Town of Exeter and has recent performed a similar job at UNH on a larger scale. Northern Pool will replace the filter in the end of August at the end of Swim season. This cost would also include the repair of the current leak in the filter placement. The bid had two options; one for a single metal tank like is currently in place, and one for two fiberglass smaller tanks. The recommendation is for the two fiberglass tanks as they're more cost effective and easier to backwash. Mr. Favreau notes a thunderstorm last week damaged the pump at the pool. A new motor was retained to immediately fix the problem. At the cost of \$2,000 the motor was repaired and is covered by the Town Insurance, less the deductible. The replacement motor will be sold at the end of the season when the entire filter is replaced.

**Mr. Chartrand moves to award the bid to Northern Pool for the amount of \$49,633.00 with the option for fiberglass tanks. Ms. Gilman Seconds. Vote: Unanimous.**

Mr. Ferraro requests the Permits section of the agenda be moved up to allow Cleo Castonguay, of St. Vincent De Paul may present his permit request. Mr. Dean

summarizes this permit as a festival sponsored by St. Vincent De Paul that will require blocking off a portion of Lincoln Street. Mr. Castonguay explains his group would like to have a community festival on August 4, 2012. He would like consent from the Board to close off the section of Lincoln Street to accommodate the activities of the event. The surrounding Lincoln Street community members and businesses have agreed to allow usage of their properties as needed and they're hoping to hold the festival August 4<sup>th</sup>. The group is seeking closure of the street from the portion of Daniels Street that abuts the St. Paul's' property. They group has sought permission from the school to utilize the parking lot as well. There are plans for a stage to be set up on Daniels Street with entertainment every half an hour. The group will use this even for fund raising and it will include a lobster bake. This is intended to be an old fashioned community festival. Chairman Quandt asks him to clarify if the residents of the blocked areas will have access in and out of their properties and Mr. Castonguay indicates they will.

Ms. Gilman reflects on a time when the Fire Department sponsored a carnival annually in the same area. Mr. Ferraro is impressed with the idea of this festival. He wonders if this is a continuation of the similar festivals previously held at St. Michael's. Mr. Castonguay notes they will be similar. St. Vincent's operates by donation and since vacating St. Michael's the operating costs have risen 27%. He notes that in the entire year of 2011, twelve homeless people were offered assistance, resources or services by St. Vincent's and in the last four weeks, they have seen eight homeless people. This festival is planned to be in place of the fairs previously held at St. Michael's.

**Mr. Chartrand moves to accept the permit request of St. Vincent De Paul's Society. Ms. Gilman Seconds. Vote: Unanimous.**

Mr. Ferraro acknowledges this is a unique request and the first of what he hopes are many annual festivals to come. He wonders if in the future, as an annual event, does the Town Manager have the authority to approve the permit request. Mr. Dean indicates the policy would allow the Town Manager to authorize temporary permits, including road closures. As an annual event, this permit type would only come back for a Board vote if requested by the Board.

#### **b. A/P and Payroll Manifests**

**Mr. Chartrand moves to accept an accounts payable warrant for a capital funds disbursement for a check dated 6/15/2012 in the amount of \$462,801.20. Ms. Gilman Seconds. Vote: Unanimous**

**Mr. Chartrand moves to accept a weekly payroll warrant for checks dated 6/13/2012 in the amount of \$166,588.72. Ms. Gilman Seconds. Vote: Unanimous**

**Mr. Chartrand moves to accept an accounts payable warrant for checks dated 6/15/2012 in the amount of \$634,481.07. Ms. Gilman Seconds. Vote: Unanimous**

**Mr. Chartrand moves to accept an accounts payable warrant for checks dated 6/8/2012 in the amount of \$191,138.33. Ms. Gilman Seconds. Vote: Unanimous**

**c. Budget Updates**

Mr. Dean reports that the Finance Department has just finished the May 31 actuals and they will be sent to the Board for review as soon as possible.

**d. Abatement's & Exemptions**

**Mr. Chartrand moves to accept an abatement for map 27, lot 12 unit 1 in the amount of \$111.54. Ms. Gilman Seconds. Vote: Unanimous**

**Mr. Chartrand moves to accept an abatement for map 90, lot 33 unit 6 in the amount of \$91.34. Mr. Clement Seconds. Vote: Unanimous**

**Mr. Chartrand moves to accept a Veteran's Credit for map 65, lot 6 in the amount of \$500.00. Ms. Gilman Seconds. Vote: Unanimous**

**Mr. Chartrand moves to accept a Water & Sewer abatement for account # 131376299 in the amount of \$537.56. Ms. Gilman Seconds. Vote: Unanimous**

Mr. Ferraro recognizes these abatement's as large sums and asks Mr. Dean to clarify. Ms. Gilman notes all three of the accounts requesting abatement this evening are large users. Mr. Dean notes that the original bill assessed for this abatement was \$4,617.39. Mr. Ferraro is satisfied and agrees to the abatement's without further question.

**Mr. Chartrand moves to accept a Water & Sewer abatement for account # 131371600 in the amount of \$749.69. Ms. Gilman Seconds. Vote: Unanimous.**

**Mr. Chartrand moves to accept a Water & Sewer abatement for account # 131379250 in the amount of \$935.61. Ms. Gilman Seconds. Vote: Unanimous**

**e. Permits**

Mr. Dean reports the following activities scheduled for the upcoming week at the Town Hall, on June 21 the Seacoast Wind Ensemble will perform from 6pm to 8:30pm. On June 29, there will be a musical performance from 3pm to 4pm. From June 30<sup>th</sup> through July 7<sup>th</sup>, the Oyster River Players will be performing.

A request was received to waive the Town Ordinance restricting night work in the Town of Exeter. The request is to allow night work for Thursday, June 21, 2012 after 10:00 pm for High Street. This request is in relation to Jady Hill Phase I. Mr. Clement clarifies that this request is from Paul Vlasich to do the work on High Street at the Bridge, and he wonders if all of the local residents will be notified the work will be performed after 10pm. Mr. Dean indicates contact will be made for all the affected residents.

**Mr. Clement moves to approve a waiver to allow for the night work to begin after 10pm on Thursday June 21, 2012. Ms. Gilman Seconds. Vote: Unanimous**

A permit request from Exeter Criterium for June 26<sup>th</sup>, from 4:30 to 8:30 pm for

registrations for a road race.

**Mr. Chartrand moves to approve the permit request for Exeter Criterium. Ms. Gilman Seconds. Vote: Unanimous**

A permit from the Musical Arts for a student performance on June 29 from 3pm to 4pm.

A permit from the Musical Arts for a student performance on August 3 from 2pm to 3pm.

A permit from the Musical Arts for a student performance on August 17, from 3pm to 4pm.

**Mr. Chartrand moves to accept all three permit requests from the Musical Arts. Ms. Gilman Seconds. Vote: Unanimous**

**f. Town Manager's Report**

Mr. Dean is pleased to report the final ascent has been received from the Attorney General regarding Gilman Park transfer. This paves the way for the final closeout on that project and the Board can be looking forward to signing that over the next couple of weeks. Mr. Dean reports his attendance at an annual conference for New Hampshire Managers in Keen. There were three relevant topics of discussion on the agenda including a presentation by the Monadnock Economic Development Commission. The presentation reflected the history of some of the real estate deals they have been involved with. Jack Dugan, the Head of the EDC, has offered to come at his convenience to a Town of Exeter EDC meeting. Another relevant topic is a new concept Keen has recently adopted. Their live meeting feeds have agenda points sunken into them. Essentially, if [www.townhallstreams.com](http://www.townhallstreams.com) could do this, it would be the same as bookmarking an agenda item in the navigation pane at the bottom of the streaming video associating the point in the video at which that item is discussed. Finally Mr. Dean reports his recent introduction to the technology of Tagging. Tagging is used to create a unique identifier for documents. The concept seems a bit labor intensive and he is researching if this could be useful globally to our town government.

**g. Legislative Update**

Chairman Quandt advises that the House and Senate will meet next week on June 27<sup>th</sup> to begin dealing with all of the "vetos". There are quite a few and a list is available on the NH Gen Court Website.

**h. Selectman's Committee Reports**

Mr. Ferraro reports a Water & Sewer Advisory Committee Meeting from last week. There was discussion of financial reporting and aging receivables. Mr. Bob Kelly has been appointed as the Chairman of the Committee and Mr. Gene Lambert has been appointed as the Vice-Chairman. Mr. Ferraro also reports having attended an LGC Seminar on the Right to Know Laws with Mr. Don Woodward. One law in particular stood out to him regarding Committees. All appointed Committees require public notice and recording minutes. He found it interesting that this even includes Sub-Committees and it is considered a quorum if there is more than one person. There is a short discussion and it is clarified that this pertains to any appointed committee or subcommittee, but a delegation of a task from a Chairman of a Committee without an actual appointment to a committee would not. Mr. Woodward notes he found it

interesting that if the recorded minutes are not made public in the specified amount of time, fines can be assessed.

Mr. Clement has nothing to report.

Mr. Chartrand reports an EDC meeting from Tuesday, June 12<sup>th</sup>. He notes the EDC is a group who is exceptional at working toward small incremental things and having a large impact on the Town. He also reports attending a meeting of Retail Owners Network as a member not as a Selectman; this group is an informal group.

Ms. Gilman reports a Heritage Commission Meeting in which they discussed the Great Dam Study. A presentation was given on the history of the dam including its previous use for power generation. While a consultant indicated the dam in and of itself has little to no historical value or integrity, it still contributes to the neighborhood history. Ms. Gilman also notes that the HDC has a fund excess of \$2,000.00 which they are planning to assign to the Heritage Commission with the intended expenditure to be on local historical signs.

Chairman Quandt has nothing to report.

### **I. Correspondence**

Mr. Dean summarizes the letters received regarding the Bond. The letters were sent to signify the rate and the premium applied to the loan as part of the sale. The Town will get the full amount of the proceeds and pay back the different. The second letter is an explanation as to what the trending is in the current market.

A letter from the State of NH board of tax and land appeals giving notice that final tax bill was sent 11/14/11.

A letter from Synergy health & Fitness notifying the Town they are closing.

An Email from Renee O'Barton regarding the farmers market.

An Email from Phyllis Richard regarding the farmers market.

An Email from Christopher Suprock regarding the farmers market.

An Email from Renee O'Barton regarding traffic due to the farmers market.

An Email from Renee O'Barton offering pictures of commuter traffic due to the farmers market.

### **3. Regular Business**

### **4. Review Board Calendar**

Chairman Quandt wishes to interview the two candidates for treasurer this week, the Board should be shooting for Thursday at 2:30. Chairman Quandt would also like to replace the July 2 meeting with a meeting on this coming Monday followed by every 2 weeks thereafter.

### **5. Adjournment**

**Mr. Chartrand moves to adjourn. Mr. Clement Seconds. Vote: Unanimous.**



The Board stood adjourned at 9:15pm.

Respectfully Submitted,

Jennifer Pond  
Recording Secretary

**1. Call Meeting to Order**

Chairman Matt Quandt convened The Board at 6:30 pm in the Wheelwright Room of the Town Office Building. Other members present were Vice Chairman Don Clement, Selectman Dan Chartrand, Selectwoman Julie Gilman and Town Manager, Russ Dean.

Marilyn Erickson of 407 Exeter River Landing appeared before the Board to discuss a tax issue. Mrs. Erickson was seeking relief from a tax bill she stated she did not receive during the second half of 2010. This led to a lien being placed on the property. Deputy Tax Collector Linda Fecteau advised the Board of the history of the account. After some discussion, Selectman Clement moved to waive \$79.80 in accumulated interest on Map 104, Lot 79-407. Selectman Chartrand seconded. Motion carried. Mrs. Erickson thanked the Board.

The Board then interviewed Mr. Rawson Webb for a spot on the Economic Development Commission or the Arts Committee. Mr. Webb indicated he could not make morning meetings so the Arts Committee seems a better fit for him.

The Board then reconvened in the Nowak Room for their regular business meeting.

**2. Public Comment – None this evening.****3. Bid Openings – 47 Front Street Roof Project**

Mr. Quandt begins by opening the biddings of the roofing project as Mr. Clement informs that it better known as the, "Historical Society Building". The first bid read off was by AW Therrien Roofing Company. After some confusion, Mr. Quandt hands the letter to Mr. Clement who tries to locate an accurate bid. He locates the bid in the document and Mr. Quandt reads the bid to the board, it sums to \$209,094.00. The next bid is from Mahan Slate Roofing, a company located in Springfield MA. Their bid on the project is \$254,750.00. Next is David Crocker from North Oxford MA placing a bid of \$268,000.00. Lastly, the Heritage Company based in East Waterboro ME bids \$237,070.00. Mr. Quandt asks if there is a motion to refer to the Department of Public Works for review.

**Ms. Gilman moves to refer the bids while Mr. Chartrand seconds. Vote: Unanimous**

Mr. Clement has a discussion point that their original budget of \$90,000.00, which Ms. Gilman corrects to \$99,900.00 and adds that the Board was extremely under in predicting the cost for the project. Mr. Clement questions if the Board has the right specs with the tremendous difference and hopes that DPW will figure out the cause. Ms. Gilman also vocalizes concern. Mr. Quandt inquires of a company whom approached before claiming they would use the same slate as the board did and Ms. Gilman clarifies that it was the recommendation from a consultant that was used. Ms. Gilman follows with wondering if they even looked at the slate.

**4. Minutes & Proclamations****a. Special Meeting: June 21<sup>st</sup>, 2012**

**Mr. Clement moves to accept the minutes of June 21<sup>st</sup> as presented. Mr. Chartrand seconds. Vote: Unanimous.**

**b. Special Meeting: June 25<sup>th</sup>, 2012**

Mr. Chartrand moves to accept the draft minutes of June 25<sup>th</sup> 2012. Mr. Clement seconds. Vote:

Unanimous.

**5. Appointments – None this evening.**

**6. Discussion/Action Items**

**a. New Business**

**I. Mikey Sales: Eagle Scout Project**

Mr. Sales begins by handing out to the BOS a document summarizing his project and shows a map of the location where the project will be taking place. Once the forms are passed around, Mr. Sales explains that in order to achieve the highest rank in Boy Scouts, the Eagle Rank, and a scout must complete a one hundred hour service project that benefits a community or institution where the scout resides.

Mr. Sales was approached by Joe Kenick of the Exeter Sportsmans Club with a trail along the Exeter Reservoir that needs work done. Duties included the trail being marked, raked clean, having steps placed at a specific point with a harsh slope, and installing a makeshift railing. The trail currently has rope strung trees, which can be considered a railing. However Mr. Sales exclaims that this rope is slick and rather dangerous to use. He references his handout to a diagram he made of how the trail will look with the work he plans to execute. Currently the trail has a log bridge between two banks in the Reservoir which Mr. Sales will leave alone because he tested it and says that it is stable. Referencing the picture he shows that he will place more logs into the embankment, making a reasonable place to step off of the log bridge. Mr. Sales informs that this task is commonly done by other Boy Scouts because not only does it make it easier to walk the trail, but it also prevents the soil from going into the bank. Currently the earth by the bank forms a steep angle and water passing the bank is washing away a lot of the soil. Finally, Mr. Sales will take wooden stakes treated to be safe outdoors, bury them into the embankment and string them with rope. This will make the bridge more stable. It will also be better for the surrounding earth because the current "railings" which are ropes wrapped around trees, will not be used and damaging the trees anymore. This will be a large majority of the work and the entire project will be done by Boy Scouts.

Once that project is complete, Mr. Sales intends to framing up and establishing the trail. In order to do this he will be marking the trees with paint similar to other trails worked on in Exeter as Eagle Scout Projects. He will also bring Boy Scouts through and rake out the leaves and clean up the trash. Currently the trail has a lot of beer cans littering it. He also mentions that it is common among Boy Scouts is that in cleaning up the trash, citizens are less likely to place their trash on the trail. People notice. With the trail being dirty, the sediment is that there is trash here; it won't matter if more is added. However should the trail be clean, that president won't set and again, will be less inclined to leave their trash on the trail. Once the project is finished and the Sportsmans Club has reviewed and approved it, Mr. Sales will place a sign at the entrance of the trail which will be located next to the Exeter Sportsman Club's sign. The sign he will post will have a trail map, as well as some tenants of the Boy Scouts, namely the "Leave No Trace" which will act as a reminder for the fisherman to clean up their trash, carry out what you carry in. The sign will also have wildlife information on it. It will have descriptions on local plants to inform fisherman of.

Next Mr. Sales states that the work to complete his project will be executed in late August. This is because Mr. Sales is currently enrolled in a summer program in Boston. He projects the task will begin the weekend of August 16<sup>th</sup>, as well as the following weekend. It will be done solely by Boy Scouts and some parental volunteers. On July 16<sup>th</sup> Mr. Sales will be meeting with the Exeter Sportsman Club to get approval. Mr. Kenick suggested to Mr. Sales to get the Board's approval as well for his project. Mr. Sales exclaims that he has received verbal approval, just not written approval from their entire group of members. Mr. Sales asks the board if they have any questions for him. Mr. Clement mentions that a couple of weeks ago the environmental planner Kristen Murphy and Mr. Clement walked the trail that Mr. Sales plan to renovate. Mr. Clement labels the area where the log bridge resides as a deep gully and can be difficult to get to the other side. He agrees that the trail needs the improvements and thinks the project is a great idea. Kristen Murphy and Mr. Clement also talked about two things. He asks Mr. Sales if he needs to ask the department of environmental services for some kind of permit to which Mr. Sales replies that he does need a shoreland permit and he states that he has already filed for that. Mr. Clement's other discussion with Ms. Murphy was that the trail starts right in front of the Sportsmans Club lodge. They talked about the fact that most of the general public don't go into the Sportsmans Club area and go fishing. Ms. Murphy told Mr. Clement that she hopes that the Club will take some of the responsibility of maintaining the trail in the future, after Mr. Sales completes his work. Mr. Kenick mentioned to Mr. Clement that the grounds are town property and that he doesn't feel he is responsible for keeping it maintained. In summary, Mr. Clement thinks in combination with the Sportsmans Club, the town, or any future Boy Scout going for their Eagle Scout Project, can conduct future maintenance. He doesn't foresee any issues at all and feels the project is worthwhile.

Mr. Clement empathizes with Mr. Sales trying to find a project he can do and comments that the project chosen with the trail that is frequently used by fishermen to access different areas of the reservoir. He continues with complementing the nature concepts, labeling plants on the trail and so forth. He closes with that the Board should be supporting Mr. Sales. Mr. Quandt mentions a project that Mr. Sales tried to complete on Kingston Road and apologizes that his original project didn't work out. He then clarifies what it is that Mr. Sales needs which is approval from the Board and the Sportsmans Club. Mr. Sales confirms and tells him that he has two documents that he needs their signature on. One is the summary of his Eagle Scout which is a BSA document. It states that Mr. Sales met with the Board, explained his project, talked about concerns, and they are supportive of it. The other document is a work order which quickly outlines what he is going to do and since the trail is on town property, it will give him the authority to bring his volunteers to the ground and complete his work.

**Mr. Clement motions that the Board move to approve the Exeter Sportsmans Club trail restoration project as defined in tonight's proposal. Mr. Chartrand seconds. Vote: Unanimous.**

While Mr. Quandt signs the necessary documents, Mr. Clement thanks Mr. Sales for the work he plans to do and Mr. Kenick for helping Mr. Sales in completing his Eagle Scout Project. Mr. Quandt agrees that if anyone needs to know anything about trails, fishing, sportsman things, Joe Kenick is the person to call.

## **II. Jady Hill Phase II Engineering Contract Extension**

Mr. Quandt gives the floor to Mr. Dean who explains this is the construction administration for Phase II of the Jady Hill. Mr. Dean expects the bond proceeds from the project to be deposited on the 19<sup>th</sup> of July. He then introduces Mr. Vlasich to explain the details of the contract extension with Wright Pierce and the cost of the project which is \$165,402.00. Mr. Vlasich introduces himself as the town engineer and begins by referencing a memo the Board has which is the resident engineering and contract administration for Phase II. About one month ago he approached the board for ward of the Phase II Project to JA Polito. The construction was awarded \$2,756,241.00. This will be used for an inspector and the Rite Pierce Organization to do the contract administration for the Phase II Project. The cost of the contract with the Organization is \$165,402.00 which covers roughly 6% of the construction. Mr. Valasich informs that the funding for the project will be from the 2010 waterline replacement project, the 2012 Jady Hill Warrant in the general fund, and the 2012 Jady Hill Warrant in the sewer fund. Mr. Vlasich references the second document which the board received at the time construction began. It shows the bottom line being better as the construction inspection was less than anticipated.

**Mr. Chartrand motions that the BOS accept and extend the current contract with Wright Pierce for construction services for Phase II of the Jady Hill Project in the amount of \$165,402.00. Ms. Gilman seconds. Vote: Unanimous.**

### **III. Review BOS Goals Report**

From the special works session from earlier in the year, the board brought in a facilitator from Primex and they formulated a report. Mr. Chartrand felt the report was quite accurate of what the BOS did that day. Ms. Gilman states that it's brief and presented well, making it easy to check off their goals and be more efficient. Mr. Chartrand continues to commend the summarization of their one, three, and five year goals. He also notes how it incorporates the dichotomy between himself and Mr. Clement. Mr. Clement comments that he thinks they did a good job encompassing the meeting in a summary fashion. Then he poses the question that now that their goals are listed, where does the BOS go from here? The six goals determined are very general and broad. He asks if they should meet again to attempt to define them or trying to break them down into more details. Mr. Quandt tells Mr. Clement that is exactly what the Board will do and after that present their goals to the CIP committee. Mr. Chartrand clarifies that some of the goals have already happened. One of their goals was to meet with Aaron which Mr. Dean has already taken. He continues with commenting that they are about to launch into the budget process. Things like the Sidewalk Plan and the Lincoln St Sewer Plan can be started in preparation for the budget process. Mr. Dean passed a copy of the BOS goals to the Chair of the Economic Development Commission so they'll have it for their meeting. Mr. Dean knows that goal number one of the Board's is under the economic development area, talking about Epping Rd, Holland Way, Portsmouth Ave, and Hampton Rd, amongst other places. One of the goals that were laid out by the board was to schedule a meeting with the planning board and the EDC with a few bullet points attached to that. Mr. Dean mentions that the goal list has not been sent to the planning board as of yet but will be given to them by their meeting on Thursday night. Mr. Clement suggests sending the goals to the department heads as well to which Mr. Dean tells him that has already been done. Lastly Mr. Clement asks if it will get on the website. Mr. Dean says he can post a separate document under the "Reports" section of just the goals since currently it can be found included in an online packet.

### **IV. Deputy Treasurer Update**

Mr. Dean discusses how he solicited different communities to get a sense of how many had a Deputy Treasurer. He found at the last meeting that he was speculating on this issue. He speculated that most towns did have a Deputy Treasurer. He has a list on those towns who responded to his inquiry and in his survey; over 90% of those towns have a Deputy Treasurer. This leads to a two faceted question. One being whether it is a common practice, which Mr. Dean feels it is, based on the data. Other towns who responded after Mr. Dean printed his survey have remained consistent with current findings. Mr. Dean figures that four out of every five towns have a Deputy Treasurer. The second question is that if Exeter has a Deputy Treasurer what would the adequate compensation be? He finds it interesting when you look at the Treasurers state wide in that there's quite a bit of variance and not all of it is easy to understand. Maybe in different communities that follow the town meeting form of government perhaps a Treasurer role has been perceived differently depending on the budget size which impacts the reconciliations.

The role and responsibility of the treasurer which is the same in every community and with a community like the town of Exeter that has a \$20 million plus budget; it is quite a bit more intensive than towns like Fremont for example who has a much smaller amount of transactions on a month to month basis. So the answer is yes, most other towns do have a Deputy Treasurer. Mr. Dean made a memo basically addressing his thoughts that having a qualified Deputy Treasurer would be a good backup system for the town of Exeter to have. In the event that the Treasurer is unavailable for something or incapacitated, all of the Deputies perform the same job as the Treasurer in the absence of the Treasurer. The previous Treasurer also recommended to the board to look into getting a Deputy Treasurer.

Mr. Quandt inquires how many communities from the survey have a similar budget to Exeter. Mr. Dean estimates that there's maybe two and have heard from a third. The thing to remember is that in the comparables they did include cities so places like Claremont or Lebanon. Population wise, those two places are similar to Exeter however they do not have the same form of government. Ms. Gilman clarifies to Mr. Dean that all the towns on the survey have the same government structure as Exeter and he confirms. Mr. Quandt names a few towns such as Goffstown who has a population of roughly 18,000, some smaller towns, and finally small towns such as Temple and Fremont. Mr. Dean continues with basing the data on the survey and the budget that the town of Exeter has, he thinks that a Deputy Treasurer compensation rate of \$750-\$1000 a year based on what is being seen and taking into account the fact that Chichester or Auburn or Moultonborough are smaller than Exeter. He knows that Mr. Brabant went through several transactions monthly and there was more involvement in the job. So let's say somebody was filling in for a month, \$750-\$1000 is reasonable to retain someone hopefully.

Mr. Chartrand asks about the interview with the current Treasurer whom also endorsed the idea of a Deputy Treasurer which Mr. Quandt believes he did. Mr. Chartrand also feels it's good to have someone as backup and increased scrutiny of two people rather than one, this is a very good idea and he is very much in favor of it. Ms Gilman thinks about the compensation and she would be interested in knowing more about what the actual duties are going to be before setting the compensation. Referencing Northwood which is about the same size as Exeter, they show on the survey to have a much smaller compensation for their Deputy Treasurer than Mr. Dean projected. Mr. Quandt asks Mr. Dean if the next step should be to set up a job description. Mr. Dean explains that the job description of the Deputy Treasurer is the same exact job description of the treasurer. There is no difference between

the two. The compensation is the "fill in" aspect of it. Essentially the individual needs to be available to be on call if need be and if something does happen or the treasurer goes on vacation for a month, then the Deputy Treasurer would fill in, do reconciliations and so forth and do some ongoing work as Mr. Chartrand made mention of. Basically, the individual would be paid for those basic services and the statutory authority is the same as the treasurer when the treasurer is unavailable and so designates.

Mr. Clement also wishes to know more about the actual roles of some of the other Deputy Treasurers that other communities that are closer in comparison to Exeter as part of budget and population. He asks Mr. Dean if Hampton has a Deputy Treasurer and the answer is that they do not however their treasurer makes \$18k a year. Mr. Clement knows that statutorily the Deputy is the replacement or backup when the treasurer is unavailable. Mr. Chartrand adds that also the treasurer could step out and allows the Deputy to do a month but Mr. Clement states that is exactly what he wants to know if that is really a role and a responsibility that by statute is a proper one. Mr. Clement wants to know if any other towns do something similar and if they do then the BOS needs to discuss it. He is not disregarding the idea that the treasurer steps down for a week and lets the deputy audit the treasurer but he would like to see if that's how it is done. The idea has an awful lot of merit and is intriguing but wants to know if it is a normal thing. Mr. Chartrand adds that whether other Deputy Treasurers do it or not, he feels it is a good idea. He comments that sometimes it's good to be a trailblazer. Mr. Dean closes with that a lot of feedback he is receiving involves the check signing authority which is the treasurer's statutory role. So if the treasurer is out of town. Mr. Brabant had a stamp when he was serving but if he's gone away then it would allow someone else to sign checks. That is one of the key points other communities have said having Deputies beneficial in that way.

#### V. 375<sup>th</sup> Committee Charge

Ms. Gilman reminds the board about how they established their committee last week. The charge is quite simple. It's a group that's going to meet regularly to plan, coordinate, and present an event or series of events which will lead to awareness and appreciation by all about the rich 375 year growth of the town of Exeter. The events shall be planned for the 2013 calendar year and offer learning activities and social and cultural opportunities.

Committee charge encompasses those strategies that allow opportunities for the greatest amount of the town wide participation. It will further seek public and private contribution in its efforts to highlight Exeter's political, social, cultural, economic, educational, agricultural, and religious history. The committee shall consist of volunteers, residents of the town and such interested representatives of other entities as approved by the committee. The first meeting of the committee shall elect a chairperson, vice chairperson, and secretary for the purpose of organizing and recording meetings and such meetings shall be noticed and open to the public and the committee shall disband on December 31<sup>st</sup> 2013. There are still plenty of positions for potential volunteers available and no first meeting has been scheduled yet. Ms. Gilman closes with by the next BOS meeting she will have a report of their first meeting. Mr. Clement expresses that he would like to attend and would like to know when it will be held.

**Mr. Chartrand makes a motion to approve the charge of the 375<sup>th</sup> committee as presented. Mr. Clement seconds. Vote: Unanimous.**

#### VI. Initial Discussion: FY13 Budget

Mr. Dean begins the discussion by going back to the goals the Board had set earlier in the year. He read through them again looking at budget focus for 2013. Coming out of the goals section, they talked about improving the operating budget rather than the capital projects even though the capital projects have been the focus of the budget of the last few years. Right now with the number of capital projects underway, the BOS has their hands full collectively. The Board had talked about at that goal setting session that there was a concern that the operating budget could not sustain another year of cutting and still continue to provide the services that are desired and expected for residents. That spoke to last year's budget process where two positions were eliminated out of the town's budget, one in the Police Department and one in the Public Works Department.

There were a couple of capital projects that were discussed. They included talking about possible inclusion in the 2013 budget or warrant and they were sidewalks and the Lincoln St waterline. This came out of the discussion on the capital plan. Mr. Dean emphasizes that the point of view of the department at this point is that the Lincoln St waterline is an extremely high priority because of the condition of the line and the fact that it is one of the main transmission lines that is going to be impacted by the ground water plant when it is built. As far as the sidewalks, Mr. Dean knows that Public Works has been working on a plan which they hope to present to the BOS later in the year probably around the early fall and they can also show the board what their strategies are for the coming years and then the board can make a determination along with the budget committee on how they want to proceed with that whether the board wants to see it as a 2013 initiative or further down the road. Mr. Dean thinks that Public Works projects that this will be set at least a year out. He feels the sidewalk discussion is a good one because they are visible and people talk about them and they know what issues they have with the sidewalks.

As far as other expenses go, Mr. Dean mentions two labor contracts that are out. One is the Fire contract which expires December 31<sup>st</sup> 2012. The other is the Public Works contract. The Police contract is signed through December 31, 2013. On the benefit side, the health insurance rating comes in October so the BOS has to wait until mid October before they have a physical number on those plans and costs. The retirement downshifting is complete meaning that the town is now picking up 100% of the cost; the state is no longer picking up any share of it. It was 35%, then down to 25%, and now it is 0%. Mr. Chartrand asks what the dollar amount of those percentages is and Mr. Dean offers a comparison in one area alone, it's increased \$150,000. Overall they're in the \$250-\$300 range. In addition, the employees are contributing a higher share, going from 5% to 7%. Also the public safety employees are contributing more into their retirement as a result of the reform from last year. Mr. Chartrand asks if that was all due to the actions taken by the state and Mr. Dean confirms. The state's contribution at 35% of the total cost was quite substantial. Mr. Dean comments that there is a vast difference between 35% and 0%. The town has been absorbing those costs and trying to keep the budget fairly level while essentially absorbing those costs into the budget and one way to incorporate such changes lead to the termination of two positions.

Mr. Dean mentions that as far as expenses, utilities are in good shape from the electricity and the natural gas markets are doing better as is known. The town is benefitting from those with reduced costs. Utilities make up about \$1 million of the budget. For fuel it is a little different since it is volatile. Mr. Dean will know the latest contract price might be for the coming year in August however for right now fuel is \$3.20 which is still under market but Mr. Dean



thinks it might increase some. As part of the CIP they are going to look closer at alternative fuel to see if there is something in there to present to the board this year in more detail. The solid waste contract is well known, being one of the larger expenses, Mr. Dean was able to solidify what it will be for the next couple of years and have some predictability.

With capital, as far as maintenance they are continuing to make progress with the list of projects. Obviously with the roof bids from earlier in the meeting, the board will need to wait to see how those pan out since the bids were far more than anticipated and also the town "HVAC" Project going to be done later in the year. So they will be coming back through the year with a couple of smaller projects one having to do with changing boilers at the Public Safety Complex and those sorts of things. Mr. Dean closes signifying that this is an overview of his report.

Mr. Eastman stands before the board to comment about when Mr. Dean was giving his presentation on what had to be done with the budget this year, he believes that the town manager's contract expires the end of December and there was a warrant article that passed right after he went into a contract that the next time his contract was negotiated it would go before the voters. Mr. Quandt thanks Mr. Eastman for his comment.

Mr. Clement begins with referencing last year early in the budget process around October, The BOS Chair was working closely with the chair of the budget committee to find a budget objective. This worked out very well throughout the entire process. Mr. Clement talks of how Mr. Chartrand and Mr. Clement drove to keep the budget as flat as possible. Mr. Clement feels they were successful at least in the general fund budget they were less than last year's budget number. He would like to see that process occur this year as well and sees the process being successful when the budget committee and the BOS work together to try and do the budget rather than the budget coming in, handing it off to the budget committee, they take a swipe at it, throw it back to the BOS and they take a swipe at it. Mr. Clement feels that what was completed last year worked and was successful and wishes to continue managing the budget as early in the process as possible. The estimated proposal from the budget committee from the town departments is due in mid August meaning the board will be able to have their first look in September. Mr. Dean confirms that usually the third week in September is when they get to the BOS. Mr. Clement said he would like to see the budget committee and the BOS go through the same process that it did last year.

Mr. Clement would also like to get an idea of the revenue stream. He believes that the expenditures will largely be dependable on what the revenues are. Earlier this year the board went through a traumatic lien process collecting back taxes. He wants to know if that added anything to the revenue stream. Mr. Clement also would like to get an idea early on what their projected surplus is. The board always has the opportunity knowing what their surplus is utilizing it and applying it to lowering tax rates or uses it for capital expenses. This year Mr. Clement wants to be more aggressive on reviewing the board's surplus and how it's managed and he would also like the budget committee to have a say as well.

Somewhere in the finance department, Mr. Clement says he can get information about debt services and learn when certain debts will be paid off in the next few years. The conservation bond is believed to have its final bond payment in 2015 and Mr. Dean confirms. Mr. Clement continues that when that is paid off that will provide some debt relief and the board can focus on the capital improvement program and start to project ahead and perceive how much more

debt the board can take on. Mr. Clement would like to see this more as they begin the budget process and taking some of the ideas into consideration and planning to do them.

Mr. Chartrand feels that they cannot just assume to level fund the general budget. They need to take a hard look at what the situation is and look at all possible options. Ms. Gilman comments that at the last budget meeting, one of the suggestions was to have the department heads give a wish list along with their typical thing. She explains that she knows there is a department that wants to add personnel and she says that to board would want to know that wish rather than cutting back of stuff so eventually they can hire personnel. Mr. Clement encourages in getting more input from their departments. Again Mr. Clement stresses looking at the revenues and surplus. The total town tax rate is roughly 30% of it. The other 70% is mostly schools and the school budget for 2012 increased significantly. That will in turn show up in the tax rate. The school needs to manage their own expenses but the board needs to be aware if they hold the line, the taxes can still go up anyways. Mr. Chartrand mentions with the state backing out of the retirement, the town is left to cover a significant amount of money and the town was obligated to pick up a significant share. Mr. Quandt quotes the previous chair in, "This is the first step in a long process."

## **b. Old Business**

### **I. Water Street Interceptor**

Mr. Vlasich is asked to speak to the board about this and he prepared a memo which he gave to the town manager earlier in the day. He begins with referring to about a month ago, he gave an update to the Public Works Director and had it forwarded to the BOS on what was going on with the water street project because there was seemingly no activity. To quickly recap, there is a need to use well points to take ground water out of the soil prior to constructions so they can construct the sewers. The town had an agreement with Northern Utilities to accept that ground water however the amounts needed for them to accept have changed. The amount became a lot more than originally anticipated. Mr. Vlasich and others could not negotiate a revised agreement that they would accept. When talking about contaminated ground water it's because the manufactures gas plant one, but right next to that is an ash pile that was from a burning operation probably associated with Public Works.

Mr. Vlasich and crew spent a considerable amount of time to help Mr. Jeffers and Teton Environmental to analyze if we put the ground water into the sewer treatment, what that would mean to the waste water treatment plant and our limits and that sort of thing. Originally it was hoped to produce 1 million gallons of ground water flowing daily but because of the contaminant levels of the sites, production will probably only be a third of that. With this new information, now Mr. Vlasich needed to step back and look at how that would impact the contract and to the budget. The memo Mr. Vlasich provided this evening is an analysis of what that means.

If they would try to construct the sewer line as currently designed, it's anticipated to go over budget by about \$70,000. This assumes that the contractor can actually do the work of 300,000 gallons a day. It also assumes that as they dig in areas that have yet to be tested for contamination levels that those areas levels are not getting higher which would reduce the water that could be taken out. There is risk in any of the construction that would take place. There's also risk if they try to reduce the scope of the project. Originally coming to Exeter, they had an undersized sewer pipe and it would allow extra sewer flows to go over to Clemson lagoon as a sewer overflow. Increasing the pipe size will diminish the sewer

overflow. At the same time, the flows downstream from that go underneath the housing authority. Mr. Vlasich comments that this is not a typical practice to have sewers underneath the building. The sewers were there for a while and they were also upgraded when the housing authority was constructed over it.

The reduced scope will still keep the flows going under the housing authority. They're looking at this as a comparative option. It will still increase the pipe to reduce sewer overflow however the pipe still situated under the housing authority. Mr. Clement asks Mr. Vlasich how the pipes are increased. He asked how using the same pipes that are currently below Water St will increase the pipe. Mr. Vlasich clarifies that upstream there is a constricted pipe. This is causing a diversion structures upstream of the constriction forces more sewer elsewhere. The size of the pipes under housing authority is large. Mr. Clement verifies that they will still get some of the benefits with the reduced CSO and Mr. Vlasich confirms. The sewer department investigated the condition of the sewer lines. They spent three days cleaning and televising lines and found that there in adequate condition, good structural condition. There is some corrosion, some hydrogen sulfides but that's minor. Looking at reduced options, the project can be done with all the extra costs because of the ground water assumptions and still have a balance left over. With the leftover balance then they would think about slip lining those sewers as added protection. Essentially without additions to budget the project cannot be done as originally designed and the reduced scope according to assumptions made, there would be a balance leftover.

Mr. Quandt asks if this change is pending DES approval and Mr. Vlasich states that they have been continuously updated on what Mr. Vlasich and crew have been trying to do. The DES's comment is that the project needs to be completed by the end of September and have a viable construction project for the funding. Mr. Chartrand verifies that with the second option that the town would still get improvements, with the decrease in overflow and Mr. Vlasich confirms. Mr. Clement figured this would be important to the DES since the Town has to improve their CSO and if what is done does not improve it, it would be a contradictory to what is supposed to be getting done. Mr. Vlasich assures that it will improve but not in all situations. For instance it won't when there is a big storm; it won't be able to pump fast enough. However in some situations it will lessen the overflow. Mr. Quandt comments that this is one of the last ARRA funded projects.

Mr. Dean mentions to the chair that the Town had budgeted \$77,000 for debt payment for the water street interceptor project however that payment won't be made this year with the project still ongoing, leaving those funds potentially usable for a budget overage. Mr. Quandt inquires how much spending wise has already been put into the project and Mr. Dean reports \$117,000.

**Mr. Chartrand move that the Board adopt option B for reduced design scope referring to the memorandum dated July 9<sup>th</sup> from town engineer Paul Valasich to Public Works Jennifer Perry Ms. Gilman seconds. Vote: Unanimous**

Mr. Clement comments with option A there are unknowns with soil contaminants which Mr. Vlasich explains option B has the same risk. However there is greater construction activity and greater potential for contaminants with option A. The potential for running into contaminated soil is less in option B than A and Mr. Vlasich confirms.

**7. Regular Business****a. A/P and Payroll Manifests**

**Mr. Chartrand moves to accept accounts payable warrant checks dated July 6th 2012, disbursement totaling \$317,737.04. Mr. Clement seconds. Vote: Unanimous**

**Mr. Chartrand moves to accept accounts payable warrant checks dated June 29th 2012, disbursement totaling \$132,330.22. Mr. Clement seconds. Vote: Unanimous**

**Mr. Chartrand moves to accept accounts payable warrant from capital fund dated July 6th 2012, disbursement totaling \$43,655.92. Mr. Clement seconds. Vote: Unanimous**

**Mr. Chartrand moves to accept weekly payable warrant dated June 27th 2012 totaling \$176,793.52. Ms. Gilman seconds. Vote: Unanimous**

**Mr. Chartrand moves to accept weekly payable warrant dated July 3rd 2012 totaling \$183,512.13. Ms. Gilman seconds. Vote: Unanimous**

**b. Budget Updates**

Budget was basically covered earlier and Mr. Dean mentions the quarterly report from finance will be coming up the 23<sup>rd</sup>.

**c. Tax Abatements & Exemptions**

**Mr. Chartrand moves the abatement of Map/Lot 27/12 for the amount of \$279.34. Mr. Clement seconds. Vote: Unanimous**

**Mr. Chartrand warrant for the collection of Jeopardy tax. Map/Lot is 95-64-260 in the amount of \$350.13. Ms. Gilman seconds. Vote: Unanimous**

**Mr. Chartrand warrant for the collection of Jeopardy tax. Map/Lot is 104/79/310 in the amount of \$331.17. Ms. Gilman seconds. Vote: Unanimous.**

**Mr. Chartrand warrant for the collection of Yield taxes. Map/Lot 47/7 in the amount of \$771.86. Ms. Gilman seconds. Vote: Unanimous**

**d. Water/Sewer Abatements**

Mr. Clement starts with the simpler abatements. Two have been recommended by Public Works and the Water/Sewer Advisory Committee to disapprove of the request. He asks if it is standard process is to agree with that or to read it off, or have to take a vote. Mr. Quandt clarifies that the Board must vote to deny it.

The first abatement was for a water/sewer abatement request for 9 Whitley Rd. in Exeter in the amount of \$2,198.97. That is the amount of the bill and the request.

**Mr. Clement moves that the board deny the water/sewer abatement request for 9 Whitley Road. Mr. Chartrand seconds. Vote: Unanimous**

The second abatement is for 14 Bow St. Both the Public Works and the Water/Sewer Advisory Committee support denial of the request in the amount of \$1,357.24.

**Mr. Clement moves that the board deny the water/sewer abatement request for 14 Bow St. in the amount of #1357.24. Mr. Chartrand seconds. Vote: Unanimous**

Last two have been put off for awhile. The first has been going back and forth between the Water/Sewer Advisory Committee and the Water/Sewer Department (WSD). The WSD recommended the abatement for the amount of \$238.00 for Langdon Ave. the WSC did not recommend the abatement and instead want to do a onetime abatement amount for a ten year period which would total to an amount Mr. Clement isn't sure of. The WSC states on further review of the account the Water Sewer Manager Engineer still recommends abatement for full amount due to customers diligence in the illegal service connection and keeping the WSC spirit of granting abatement for circumstances beyond the repairer's control. The abatement began in October 2011.

**Mr. Clement moves to approve a water and sewer abatement for 14 Langdon Ave in the amount of \$238.00. Ms. Gilman seconds. Vote: Unanimous.**

Mr. Chartrand comments that he is loathed to override volunteer's recommendations however he read the review of this case and Mr. Chartrand believes that the owner has put an effort in to notify the WSD of an illegal tap on the waterline. They also made a diligent effort to eliminate the illegal tap and rectify the situation.

The fourth abatement is a request that the WSD does not recommend abatement due to leaking plumbing fixtures and in this case the WSC recommend abatement granting a onetime abatement per account during a ten year period. This has been around since February 2010. Mr. Quandt believes that this was caused to waiting for the WSC to come back online in 2011. Ms. Gilman comments on how this is the abatement where the WSD recommended denying it and the WSC agreed with them, but approved abatement for a previous year.

Mr. Clement feels that the process for water and sewer abatements isn't working well. Somehow too many levels of bureaucracy have been created. This is evident by the abatements that have been getting kicked around for a long time. When the abatement request comes in, Mr. Clement thinks our WSD technicians do a very good job of investigating it, finding the leak if there is a leak, finding responsibility, coming up with recommendations to fix it, installing new meters, and making a sound decision of whether it's preventable or not. Once it passes that then it goes to the WSC and they go through there review. Sometimes they sit there with the people who are requesting the abatement and they go through a questioning period. Then they bring in the Mr. Jefferson and then go through another questioning and they say "Oh we still don't have answers go back and get some more info and come back to us." The whole process just becomes cumbersome.

Mr. Quandt believes that with this process abatements will make their way to the board, which the board will send it back down. Mr. Chartrand suggests we don't do that anymore. Mr. Clement implies that it is just something to think about. He continues about the board looking into considering a change in the ordinance. Mr. Dean clarifies that it is the policy that Mr. Clement is referencing. Mr. Dean explains that statutorily the Selectmen have to sign the abatements. However like many things if the board desired, they could delegate the granting or denying of abatements a level below themselves which would turn the BOS into an appeal. Mr. Dean continues stating that was how abatements used to be run.

Mr. Chartrand has a brief comment that perhaps what is needed is throughout the volunteer base as what the BOS is doing which is, trust the professionals. Start to be willing to delegate and accept the information that comes from the professional town employees, if that could be created throughout the entire volunteer base that would eliminate a lot of the abatement problems.

**Mr. Clement moves to deny the abatement request for 70 Main St as per the recommendation of the water sewer department. Mr. Chartrand seconds. Vote: Unanimous.**

**e. Permits**

Mr. Dean begins with the first permit from Exeter Women's Club for their antique appraisal on October 7<sup>th</sup> 2012 from 12pm-5pm at town hall

**Ms. Gilman motions to approve the permit. Mr. Chartrand seconds. Vote: Unanimous**

Second request is a letter from the Women's Club talking about the summer arts and crafts festival that they have at the town hall Saturday the 21<sup>st</sup> of July. They are requesting to put out small framed lawn signs measuring 21 inches by 18 inches. They will be placed by the roadsides in Exeter area. They will be put out on the 15<sup>th</sup> and removed by the 22<sup>nd</sup>. They would also like to use two A frame signs. One will be posted in or near the road that will be blocked for the American Independence Festival and the second would be placed on the sidewalk near the town hall. The signs would be removed after the art craft ends 4:00pm on the 21<sup>st</sup> of July.

**Mr. Clement moves to approve the request. Ms. Gilman seconds. Votes: Unanimous.**

Mr. Chartrand questions a revision Mr. Quandt made and how this permit goes directly against it. Previously CMS requested something similar and was turned down. Ms. Gilman adds that this is the first year the Women's Club has asked for this kind of permit.

**f. Town Manager's Report**

Mr. Dean had a couple of things to report, one being the town's auditor Melanson and Heath will be in next week on Monday to conduct the annual audit. They have done some preliminary testing and field work already and next week is the heavy lifting. They will probably be present throughout the week. There is a water/sewer meeting Wednesday night. The Sportsmans Club Project is going before the planning board Thursday night and that will be a good meeting to go to considering the board's role in it. This is the project that will utilize the use of sound proof walls. There is a brass band concert currently outside on the bandstand performing for the public. There will be another concert Thursday in Swazey Parkway from 6pm-8pm the Jen Thayer Band. Also Jay Perkins had been working on the initiative to allow parking on one side of Swazey Parkway and Mr. Dean wanted to mention that in the event that there is any discussion needed or anything from the board but Mr. Perkins is working on it and trying to make it work out. Mr. Clement adds that you can only access Swazey Parkway from Water St. now it is no longer a thruway. The public can only drive as far down as the pavilion where the road will be blocked off for construction. There is a turnaround so people driving in can make a 90 degree turn and come out the same way they went in. Parking has been restored on a limited basis. Mr. Clement takes a moment to thank Jay and DPW for doing a great job managing the project. They have also done improvements on drainage along that stretch and place stone walls along the sides making it overall look spectacular. Mr. Dean has not found anything pertaining to Stewart Park regarding the walkway issue raised at the last meeting. They have exhausted their internal searches and are left to believe what it is for what it is. They asked

DPW if they had a file folder on Stewart Park and there wasn't anything remarkable and they talked to the Chamber of Commerce as well. They haven't been able to turn up anything. Ms. Gilman offers to call one of the architects and ask if they know anything.

**g. Legislative Update**

Updates consist of the last session was the 27<sup>th</sup> it was veto override day. There were approximately twelve veto overrides between the house and the senate. Six items were overridden. The only big one was what Mr. Chartrand already mentioned which was Voter ID Bill. There were some other issues that weren't really that big.

During the summer all the study committees are meeting. Various commissions and legislatures are going to work on legislation, getting things ready for late September. Basically if the board wants something undone that was done sometime this year, now is the time to do it. Mr. Quandt comments that now is the time to be doing the research on the legislature and prepare for everything to have it ready for September. All of this also relies on each legislature winning their elections. Then in late November, December after the general election, new legislatures get the opportunity to choose what they support.

**h. Selectmen's Committee Reports**

Mr. Clement states that there is a Conservation Commission Meeting tomorrow night, an RPC meeting on Wednesday night, and depending on Mr. Ferraro's availability someone may have to fill in for him at the planning board meeting. Mr. Chartrand - Exeter Economic Development meeting tomorrow morning at 8:00am and economic development is happening in the town of Exeter. Ms. Gilman states that the Heritage Commission meeting is usually scheduled on the second Wednesday of the month and it is being moved up to next Monday. There is also the grant that Ms. Gilman applied for was denied and she will reapply next year. Lastly is the American Independence Museum Festival is on the 21<sup>st</sup>. There will be a chicken barbeque the night before at the Congregational Church.

**i. Correspondence**

The board received a letter from Continental Paving telling them that there will be paving in Exeter, Stratham, and North Hampton on Route 111 for 2.7 miles. There is also a letter from Primex talking about their risk pool agreement with the Secretary of State. Finally Mr. Quandt asks Mr. Dean to explain an email with the town attorney about the commercial dock. Mr. Dean states it is a paper copy of what was read at the last meeting. The email is what was given by Mr. Mitchell for the board to review. They also need to talk to the harbor masters and getting more insight to the ADA questions. Mr. Dean also got an email from Mr. Noyes. Mr. Noyes notified that he is working with a private concern down on the river regarding the proposal that he is working on. There is also a correspondence on the same topic from Mr. David O'Hearn. He states that he is not in favor of the idea of a commercial dock.

**8. Review Board Calendar**

The board is not meeting next week and will be meeting again on July 23<sup>rd</sup>. Mr. Clement asks Mr. Dean about the inaugural budget committee meeting would be next week and Mr. Dean confirms that it will be meeting the 18<sup>th</sup>. It will be mirroring last year's initial meeting which was on July 20<sup>th</sup> at 6:30pm.

**9. Non Public Session**

Mr. Quandt states there's no reason to hold one.

**Ms. Gilman motions to Adjourn. Mr. Chartrand seconds. Vote: Unanimous**

The Board stood adjourned at 8:34pm.

Respectfully Submitted,

Eileen Ferro



**1. Non Public Session and meeting with counsel**

The Board convened in the Wheelwright Room for a meeting with town counsel at 6:15 p.m. Chairman Quandt then convened the regular meeting. Selectman Clement made a motion to go into non public session under the exception of employee compensation. Selectman Ferraro seconded. Roll call vote: Gilman aye, Ferraro aye, Clement aye, Quandt aye, Chartrand aye.

**2. Regular Business Meeting**

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

**3. Public Comment**

Alan Bailey of Green Street comes forward to inquire about the quarterly finance report. He wonders if the status of the audit will be discussed this evening. Chairman Quandt indicates the finance report is on the agenda for this evening and this will include an audit update.

**4. Minutes & Proclamations**

**a. Regular Meetings: July 9, 2012**

These minutes are not available for this evening.

**b. Proclamation: Kiwanis Day**

Mr. Chartrand announces the Board of Selectman Proclamation of Kiwanis Week for the week of July 23<sup>rd</sup>, 2012. In honor of the Kiwanis Club's continuous efforts to improve the community and their demonstration of concern for the interest in the youth of the community. The Kiwanis Club is celebrating 32 years of service this year.

**5. Appointments – Budget Recommendations Committee, Arts Committee**

**Mr. Clement moves to appoint Robert Corson to the Budget Recommendations Committee for the remainder of the year. Mr. Chartrand Seconds. Vote: Unanimous**

**Mr. Clement moves to appoint Rawson Webb to the Arts Committee with a term to expire on April 30, 2015. Mr. Chartrand Seconds. Vote: Unanimous**

**6. Discussion / Action Items**

**a. New Business**

**i. Quarterly Financial Report**

Doreen Ravell, Director of Finance comes forward to present the financial report for the second quarter. Ms. Ravell first responds to Mr. Bailey's question regarding the Town Audit. She indicates the auditors were in last week. They had first appeared in the month of May to begin the audit and due to scheduling conflicts, they returned in the month of July. The auditors are currently working in the field to finalize all the remaining questions and it is unknown at this time when the report will be available.

Ms. Ravell indicates the financial reports are available for review in the packet and the Year to Date end

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is at 6.30. She reports the revenue in the general fund is relatively flat with 50% collected. Ms. Ravell notes that permits are especially active between PEA and the Cobham expansion in the second quarter there was a lot of activity to boost the revenue. Ms. Ravell notes that while the Water & Sewer appear to be weak, it's not an actual decline. The figures represent and are reflective of the Water & Sewer credits issued in the first quarter and the fund is actually on par for the year. Included in the financial report are the EMS Revolving Fund and Parks and Recreation Revolving Fund. She notes that it is currently the seasonal time of business increase for Parks and Recreation and the fund is currently at 80% collected. The EMS fund is currently at 29% collected. This number may appear low, but it reflects the new startup with the new billing company. She reflects that the insurance companies have yet to reimburse the town.

Mr. Ferraro questions the report line for Other Permits and Fees. He asks what percentage of the estimated revenues is from the general fund portion of the Cable Committee. He believes this should be close to \$125,000, as the fee went up this year. Mr. Dean indicates he can not recall exactly what has come in so far and that what's estimated in total should be approximately \$200,000 of which \$100,000 is General Fund. Ms. Ravell confirms that the approximate Other Permits and Fees not counting the Cable Fund will be around \$25,000.

Mr. Ferraro inquires on the EMS Ambulance Transport Revenue. He believes the revenues in the Revolving Fund were supposed to be used to pay for the expenses approved by the Board of Selectmen, and 95% of the remainder would go to the General Fund. Mr. Dean reports that \$230,000 in projected revenue was reviewed and projected against the expenses. He further comments that the initial twelve month number needs to be realized before any funds are exchanged. It is unclear what percentage rate would be exchanged to the General Fund. Mr. Ferraro indicates he is not looking for a fixed dollar amount; he is looking for the percentage rate at which was agreed to be transferred to the General Fund. Mr. Dean agrees to look into it and provide an answer for Mr. Ferraro.

Ms. Ravell reports the expenses from the General Fund are at 49% spent. This is mostly due to fixed costs of salaries and benefits. She further reports the vehicle replacements are almost fully expended. The Water & Sewer expenses are at 42% spent. This number reflects the timing of variable costs like the roof replacement and the meters, paired with seasonal costs of natural gas and things of that nature.

Her general overview report for Property Tax Collections as of June 30, 2012, when taxes were due was at 76% collected. Two days later, on July 2, the number increased to 90%. There is also a decrease in what has been outstanding in the lien years with the deeding and tax liens. She reflects this is partially due to properties that couldn't be deeded due to bankruptcies. Mr. Ferraro asks how many properties that reflects in the years 2005 – 2008. Ms. Ravell believes that to be 1 or 2 mobile homes. Mr. Dean confirms he does not believe there are any properties that far into the past that were not related to a bankruptcy. The number of properties for the years 2009 – 2010 is unavailable at this time. Mr. Dean advises that deeding is triggered back two years and one day and the deeding process will begin again soon. Mr. Clement notes it is a long and painful process and wonders how many properties are eligible? Mr. Dean can not confirm an exact number and agrees to update the Board next month. Mr. Ferraro asks if the 90 day letters have gone out to prior home owners from the recent deeding that has taken place. Mr. Dean confirms the repurchase letters have gone out to previous home owners.

Ms. Ravell reports the Water & Sewer overall reflects a decrease in the accounts receivables. This is directly related to increased collection efforts. Monthly notices are coming out as quickly as possible.

She reports that in March, 2012 the aging reflected approximately 49% uncollected and the current number is 33%.

**ii. Assessing Department: Camper Tax Issue**

John DeVittori, Town Assessor comes forward to present the topic of a travel trailer tax. He wishes to apprise the Board of required valuations prior to the Camper Tax issue. He reports that Town Valuations are required every five years; all municipalities are required to update their values. The last time valuations were performed was April 1, 2010 and this is reflected in the present tax base. He advises the Board will need to decide what they wish to do for the required valuations approaching in 2015. There are three basic options available. Mr. DeVittori describes the first option as an in house option. He can conduct an in-house statistical update to the valuations at no additional cost to the Town of Exeter. The second option is described as a reassessment, much like what was performed in 2010. He estimates the cost for the reassessment from the firm that completed the job in 2010 will cost approximately \$100,000. The third option is described as an assessment in full capacity. This would include field inspections on every property. This option is described as very labor intensive and carries an estimated cost of \$225,000. He advises this decision needs to be made in the near future.

Mr. Clement asks if the full assessment can be performed by Vision, the contracted company from the reassessment in 2010. Mr. DeVittori indicates it can be. Mr. Chartrand asks when the last full revaluation was performed. Mr. DeVittori reports that the last full revaluation was in 1997 and regardless of which option is chosen, the task must be complete by the close of 2015. Mr. DeVittori does not have a preferable recommendation at this time. He notes that he performs a monthly sales analysis and the current median is at 1.07 based upon 234 legitimate sales from April 1, 2011 to April 1, 2012. Mr. Chartrand wonders if that number can be applied to the old valuations. Mr. DeVittori does not feel this would be an accurate reflection or valid option. The valuations are based on the property type and the current median is not proportional to that. Mr. Dean advises that these options have not been discussed in quite some time and in order to facilitate a full revaluation funding needs to be set aside over the course of the next few fiscal years. Mr. DeVittori reminds the Board that the choice must be made soon, since the law indicates the valuation must be complete by the end of 2015.

Mr. Clement remembers the reassessment was performed in 2010 and asks Mr. DeVittori what was done previous to that. Mr. DeVittori indicates he had performed the valuations in-house for the prior sixteen years to 1997, and this included the assessed value and an approximate market value. In 1997 a full evaluation was performed and in 2010 a reassessment was performed by Vision. Chairman Quandt agrees to add this topic to a future agenda for more discussion.

Mr. DeVittori, Town Assessor presents the topic of Taxation of Travel Trailers for discussion with the Board. He advises that in recent months, the State of New Hampshire has been encouraging the Cities and Towns to place a tax upon permanently place trailers such as travel trailers. He advises that Hampton Beach as a municipality has been taxing seasonal and non seasonal trailers as permanent dwellings for some time. He defines "permanent" as completely enclosed, used as a dwelling or store house or shelter, and intentions to have the unit remain stationary. There are currently two campgrounds in Exeter. Mr. DeVittori estimates there are between 12 and 20 trailers in each of the campgrounds that would be eligible to be taxed. One of the campgrounds is located partially in Exeter in partially in Kensington. At present, Kensington is not currently taxing these types of structures; however they will begin to do so effective April 1, 2013.

Mr. DeVittori advises the Board they will need a complete inventory prior to April 1, 2013 and describes the process the assessment valuation. For example, a 2010 model that is eight feet wide and thirty-two feet long and is permanently fixed at a campground would have an estimated value of \$9,000. At the current local tax rate, that would equate to about \$227 annually. The tax bill would be sent to the campground owner and distributed to each individual trailer renter. The Director of the Department of Revenue will be speaking at the Annual Campers Association meeting to reinforce this campground law, building tax and travel trailer tax.

He describes the things the Board should consider prior to executing the law. A non payment of the tax bill will execute a lien on the camper. After two years of delinquency the Town of Exeter will own the unit and it will need to be disposed of. He is concerned that campers may stake the claim of residency in the State of NH since they receive and pay a tax bill here. Mr. Ferraro does not believe the claim to residency will be a problem since the unit does not qualify as a permanent residence. He notes that local business owners don't necessarily live in Town and cannot claim residency here. Mr. DeVittori notes that he has prepared a cost benefit analysis and notes should this law be enforced. Mr. Chartrand indicates that the estimated \$227 times forty units will generate less than \$10,000. Mr. Ferraro interjects that it may not make a lot of sense, but it is in fact the law and there is no choice except compliance. Mr. Chartrand asks if the Supreme Court ruling indicated this law as a must or as a law to enforce at the discretion of the Town.

Chairman Quandt indicates there was a ruling that said a Town can and there was a follow up decision from the DRA indicating it must be adhered to. Mr. Clement questions the process of the assessment and notes it is a law and must be followed. Mr. DeVittori indicates the complete assessment must be complete prior to April 1, 2013. Mr. Clement asks how the criteria can be met if a unit is moved from site to site in a campground, can it therefore still be declared a permanent structure? Chairman Quandt indicates there have been no court rulings to address that question. Mr. Clement asks Mr. DeVittori to clarify. If a trailer is on a site in 2013 and on the exact same site when the assessment is performed in 2014, this would meet the criteria. Mr. DeVittori indicates that this would require annual check backs including measurements, photos and detailed listings. Mr. Clement asks if the campground owner would qualify to go through the abatement process. Mr. DeVittori indicates that as this is not the permanent residence of the unit owner or renter, they could qualify for abatement but could not get the service credit.

Mr. Ferraro points out that the issue has been discussed with Town Counsel and they did not indicate that this was optional. Per Supreme Court Decision for RSA 72.7, if the trailer constitutes a building it must be taxed. Mr. DeVittori indicates there is some gray area in the law and points out that some towns are doing it and some are not. It's the DRA that is coming through and indicating every Town must comply. Mr. Ferraro clarifies that it is not the interpretation; it's the DRA that is now enforcing the statute. Mr. Chartrand consults the Town Manager, asking if Mr. Dean has any ideas on how to avoid having Town Employees waste time and money chasing this statute down. Mr. Dean indicates that there are at least two Towns enforcing the statute and he would be interested in knowing what other Towns are or are not doing with the Statute. Mr. Clement wonders if the assessor even has the authority to go on the premises to perform the inventory. Mr. DeVittori indicates he would need to have permission from the land owner and if the land owner does not wish to allow him on the property there are other avenues that can be explored to force compliance.

Mr. Clement would like to see this topic come onto the agenda again prior to the end of the year pending the idea that new legislation in the fall. Mr. DeVittori intends to get in touch with the campground owners to begin pursuing compliance with the statute. Mr. Ferraro suggests Mr. DeVittori check in with the Town of Kensington to see how they're planning to pursue the compliance with the statute. He expresses that this statute could in fact end up costing more money than the Town will make in taxes collected, but it is a law and the Town of Exeter must comply. Mr. Chartrand points out that the actual Supreme Court decision uses the verbiage "Can" not "Must" and that whether this statute is required for enforcement is debatable. He believes it's the decision of the DRA, not the Supreme Court, that this statute suddenly be enforced. Chairman Quandt notes that new legislation regarding this topic can not be depended upon and agrees to add it to the agenda at a future date.

**iii. Swasey Trustees – BOS Liaison Discussion**

Chairman Quandt indicates that the Swasey Trustees have asked the Board of Selectmen for a Selectman's liaison. The next meeting of the Swasey Trustees is scheduled for August 1 at 3pm at the Public Works Office. Mr. Clement was the previous Selectman's Representative for the Trustee's. Chairman Quandt points out that he has never attended a Trustee meeting and he intends to go to the upcoming one. Mr. Clement also volunteers to be the liaison, and notes the Trustee's have become better at posting notice of upcoming meetings. He also notes that the recording of minutes at these meetings has been an issue in the past also. Mr. Chartrand indicates he would also be interested in becoming the liaison also. Mr. Clement notes there is a natural balance between the Park and the Parkway Road which is under the authority of the Board of Selectman. The Board consensus is that it's alright to appoint a Selectman's Representative to the Trustee's and one will be selected at a later time.

**b. Old Business**

**i. 47 Front Street Roof**

Mr. Dean explains that the bids for the project of the slate roof at 47 Front Street have come in at almost double the budgeted amount for the project. The original estimate worked with was based on information from Crocker Architectural. From that was the inclusion of a time line in 2010 that wasn't part of the budget in 2011 and then it came into the CIP. The Consultant was enlisted and the forensic inspection report was included in the packet. Based upon those findings, a bid spec was developed and in between the time of the report and the town warrant, the budget was reduced, based on the knowledge at that time contained in the forensic inspection report. The project was approved, the specification was written by the same consultant, and the bids came in at the last meeting way above the original budget. The spec is included in the packet and the original project quote for comparison. The project can't be accomplished the way it's been bid. Mr. Smart has talked with a few of the bidders and there might be an alternative.

Mr. Kevin Smart, superintendent of maintenance comes forward to present more information on the topic. Mr. Smart notes that the original spec calls out every aspect for a high end slate roof and along with that, comes a price tag. Each item adds to the price of the job and the end result is a high end job. He notes he has worked with Mr. Fulmer with past projects. Mr. Smart believes that the spec can be tailored to reduce the scope of work to a manageable project inside the budget. If we were to remove all the slate that is currently there, in conjunction with the copper that is failing and has caused the slate to fail as well, and redo the perimeter, gutters and new copper, this would leave the large stable areas intact. One of the bidders has sent a revised quote which is significantly less in price. He believes with a

revised scope of work and a new bid request to the 4 bonafide bidders, a reasonable outcome can be attained. He believes this would result in a satisfactory roof repair that could take us into the foreseeable future.

Mr. Dean notes that in the financial aspect, if the funds of the warrant article went unspent it would lapse into the general fund surplus or be set aside and additional funds could be added as required. Mr. Clement notes the cost is a long way from \$117,900. He wonders where the huge price difference can be to explain the double in the cost, specifically what materials were under priced. Mr. Smart notes the cost of copper has gone up. He is confident the explanation to the cost increase was the spec in its very specific form. Ms. Gilman notes a Consultant was hired to get the forensic audit and that Consultant worked on the scope of work and wonders why those two things not come together. There is an estimate from these two bidders, but neither talk about labor, would that again double or triple the cost? Mr. Smart indicates that labor is a huge factor when the spec is as specific as it is currently written. The original spec would be requiring extreme labor, as the details are very labor intensive. Mr. Smart also points out that the dollar figure for the new spec could prove to provide a little discretion with the Contractor. The current spec is letter by letter how the repair would be performed, by tailoring the spec for discretion at the funding threshold; the project can be completed inside the budget.

Mr. Ferraro points out that the revised bid does not call out labor, it only indicates demo of all and install of new. He wonders if this implies the labor is built into the cost. He also agrees with Ms. Gilman, the current spec is very detailed but the person who developed the spec gave an estimate. There is a missed communication somewhere and he does not believe it to be the fault of the Town of Exeter. He expresses his concern that the original statement was for \$100,000. Now the result is that to do the roof, they need to replace what is necessary only and use the old slate as possible. The indication is that 80% of the roof can stay how it is and the cost is not going to reflect that change. He would prefer the entire project be rebid altogether as opposed to only asking for revised bids from the current bidders. Mr. Smart notes this bid was put out to prequalified bidders and the four companies that have previously bid will get the chance to rebid. They are all qualified in Historic Details and this building is a Historic Landmark. Mr. Ferraro clarifies that this will be a new RFP for a new bid and Mr. Smart agrees that it would be. He notes the revised scope would be sent out. Ms. Gilman asks if the bid was published for the public, aside from the prequalified bidders and if the bid is formally recast, would those prequalified bidders be able to revise their bids. Mr. Smart indicates the bid would be open to anyone and expresses his concern about the quality of bidders who are not prequalified and the quality of the work that might be performed.

Ms. Gilman asks him to clarify if the project will now be done in phases. Mr. Smart indicates it will not, it will be a project from start to finish until it's complete without phasing. Mr. Clement agrees with Mr. Ferraro and expresses his disappointment. He is concerned that a warrant article was presented to the tax payers indicating that it was important to fix the roof and asking for \$99,000 and now the fee has gone up. After further assessment it's now been determined the fee has gone up and we're planning to do something else instead of what was actually spec'd. He wonders where the confidence in that project is at this point. He feels the roof needs to be fixed and it should be historically correct and should be reasonable for the foreseeable future. Mr. Clement notes he has little confidence that for \$40,000 the project may be able to be complete and he is ready to scrap the project and begin again with an entirely new fresh start. Mr. Ferraro notes the flashing and repairs would be performed and this would leave the bulk of the roof in place. The vendor is only offering a warranty on the work, and not the entire roof. In

going back to the first consideration of 15% of the slate on the roof needed to be replaced. In his perspective that meant 15% of the slate in the roof needed replacement and that 15% was scattered throughout the roof. Thus old slate would come out and be replaced. Mr. Smart notes that will be clearly defined in the new spec and he expects a full warranty at the completion of the project.

Mr. Chartrand notes that these types of scenarios happen all the time in the real world. He does not feel as though throwing all the work already performed aside and starting over is the best choice. He feels there is a way to go forward and get a tight roof, as opposed to the current roof that is leaking and causing damage now. He does not wish for the perfect to interfere with the good. Mr. Smart indicates the DPW would like to proceed by presenting a revised scope of work. Mr. Ferraro agrees with Mr. Chartrand and also doesn't wish to let perfection become the enemy of good. He raises the point he raised last year and notes that an alternative roof would come in at way under the article price. He would like to see a new RFP and also notes that with a warranty he projects the cost to come back at \$150,000 or more. He would like to see an RFP that looks at an alternative roof. Mr. Smart does not believe that an alternative roof would come in at less than the current warrant for \$100,000. Mr. Chartrand and Ms. Gilman agree that this is a Historical Building and an alternative roof should not even be a consideration. Chairman Quandt asks Mr. Smart to present a new RFP and the topic will go back on the agenda at a later date.

#### **Victoria Arlen – Special Guest**

Mr. Dean presents Ms. Victoria Arlen of Exeter. He introduces her to the Board as a contender in the Paralympics Games. Ms. Arlen is a new world record holder, three times. Ms. Arlen thanks Mr. Dean for the introduction and notes that she is the IPC world record holder in the Women's 400 meter and 100 meter freestyle along with her new three World Records. Ms. Arlen indicates she has been a swimmer for some time and in the last few months especially. She went to Bismarck, ND for the Paralympics swimming trials and ended up successfully retaining two World Records and making the US Team with several Pan American records. She smiles and advises she's just the girl who started beating International Superstars Records and it's been excellent. She has been training hard and has seen a lot of support from the community. The Paralympics begin August 29<sup>th</sup> and go through September 9<sup>th</sup>. Mr. Dean expresses his congratulations to the newest celebrity of the Town of Exeter and presents a plaque recognizing her accomplishments with best wishes from the Board, the Town Manager, and the Town. The Board of Selectmen congratulates her on her Record setting swimming and wishes her the best of luck in the 2012 Paralympics in London.

#### **ii. Baggage Building Project Update**

Mr. Dean indicates that Sylvia Von Aulock has arrived to present this topic. He praises her diligent management of this project and notes she has done her best to assist with the entire process. He summarizes the project as having been approved in 2011 and the Town has received a grant from the Transportation Program and the requirements of the grant have been modified in the process. He also notes that if the project is not off the ground and running under contract by the end of 2012, the \$71,260 is encumbered for twelve months. If the funds go unused they will lapse and need to be re-appropriated for train station improvements. Mr. Ferraro questions if the funds do lapse, would they go to the general fund and still be available to re-appropriate under a new warrant article. Mr. Dean indicates that they can be and that Ms. Von Aulock has a significant update for this project. Ms. Gilman notes the amount of documentation and procedure, under the modified requirements is unbelievable and also points out these

are federal guideline changes in mid-project.

Sylvia Von Aulock, Town Planner presents her summary of the modification relating to the grant. She explains that she recently attended a seminar and two day training as a requirement for this type of grant. Due to some very big projects, such as the big dig, that has gone somewhat awry, there is a new over intensity of grant procedure. She explains this as a one size fits all administration grant that was written in 2009 and there was no warning these changes would come about. It took several weeks to get an answer from the DOT and it can be summarized as a long term project. The first thing that will happen is the schedule and budget being approved officially. Once approved, the preliminary engineering can begin. At that time, the Town could approach the hiring process with a projection date in August. No consultant could be hired before April of 2013 because of the intensive review processes and unbelievable administration. She feels an expert in this grant application could be necessary. Ms. Von Aulock notes the first time a violation of the procedure is found, every penny of the grant must be paid back. She predicts final design would be around November or December of 2013.

Ms. Von Aulock also indicates that in this time frame simultaneously, the historic cultural review and the environmental review would be completed. The right of way would start and that process, if approved, would start in November or December. There would need to be two contract appraisers, one to appraise the building and one to review the appraisal. Chairman Quandt asks if all of the administrative costs would fall into the grant. Ms. Von Aulock hopes that is case. In summary she projects the appraisal completion in June of 2014 and negotiations can begin in August of 2014. She advises the Board that no negotiations can take place between now and then, including any discussion with the property owner. There would also need to be a lot line adjustment that she predicts would take the project into 2015. She predicts construction can start in November or December 2014 and be completed with ground breaking in December 2015. This would give an approximate ribbon cutting in July 2016.

The members of the Board all agree this is very disappointing. Ms. Gilman notes that this would mean the entire project must be designed the property can even be purchased. Ms. Von Aulock advises the Board there could be other monies available to support this project and reminds the Board that this Warrant Article was very successful. Chairman Quandt asks for suggestion from the Board should the grant application be determined to go unused. Mr. Dean indicates there are processes for Capital Projects and those can be reviewed for an alternative. Mr. Clement offers his gratitude to the efforts of Ms. Von Aulock.

Chairman Quandt would like to continue the discussion of signs from the previous meeting. Mr. Ferraro indicates he was unable to attend the July 9 meeting but did watch the entire meeting. He notes there was a discussion on the Women's Club requesting permission to put up signs. He reflects on a previous request from a group with a music program at CMS that was approved. He thanks the Women's Club for making the official request. He notes there is a provision added to the Downtown merchant ordinances that require prior approval for sidewalk sales. The purpose of the provision was to prevent merchants from declaring every day a sidewalk sale. Mr. Chartrand agrees to point that out at the next Merchant Meeting he attends.

Chairman Quandt presents an item that came to the attention of the Board late last week. Regarding Option B for the interceptor that was approved at the last meeting. A letter came to the Town Office from the attorney of the Housing Authority. He requests the Town Manager go to the next Housing Authority



meeting as he believes there is a miscommunication. Mr. Dean advises that at the last meeting the option B was approved by the Board and, subsequent to that, the Housing Authority was contacted to give them the layout of the project. A letter was received and the construction easement is going to be problematic. Mr. Dean advises that the map shows the project including the original option and there were some issues with dewatering and chemicals which led to option B. Option B is a 24 inch PVC pipe to replace the existing line above it which is reduced in size. At this time option A is not viable. Mr. Dean further explains the existing easements with the Housing Authority have been reviewed. He reminds the Board they were transferred over thirty years ago and the current sewer easement is in place. In review of all of the options, option B would be the preferred option and that's what has been presented to the Board of Selectmen and Housing Authority. He advises the letter mentions three things. The location of the diversion structure, the man hole covers in the parking lot and a concern with environmental issues. The DPW finds it manageable and would hope a successful agreement from the Housing Authority can be attained.

Mr. Ferraro addresses Paul Vlasich, asking if there are two 12 inch lines that feed into an 18 inch line. Mr. Vlasich indicates there are two 18 inch lines under the building. The 12 inch line will be replaced a 24 inch line and as it stands is currently undersized. Mr. Ferraro asks if the current lines are one of the reasons for frequent CSO's. Mr. Vlasich indicates the undersized pipe could be responsible for some of the CSO's and in option B there is a new diversion. Mr. Chartrand asks if option C must be adopted would this cause the abandonment of the diversion structure. Mr. Vlasich indicates it would be left alone and they would need to return to it at a later time. Mr. Clement clarifies that option A and option B would include a new diversion structure and in both cases the structure will be under the parking lot. Mr. Vlasich confirms this and indicates there will be only two manhole covers visible. Mr. Chartrand asks if B is preferable to A because of the pumping of water or if there is some issue with coal gas and averting disturbing those things? Mr. Vlasich indicates with the increased ground water, the cost would be over budget and option B requires less pumping greatly due to less distance for the water to travel.

Mr. Ferraro asks if going with option B would allow the project completion date to remain October 1. Mr. Vlasich indicates it would be complete on schedule. Mr. Ferraro also notes that Mr. Vlasich referred to any extra funding in a previous memo requesting it be used to put sleeves in the 18 inch lines. Mr. Vlasich indicates the lines were cleaned and tv'd and sleeves are desirable as the pipes are concrete. Mr. Chartrand advises he would like to attend the meeting on August 2 at the Housing Authority. Mr. Vlasich also advises that the Housing Authority will decide if the easement will be granted by them and they had previously agreed to option A with little or no complaint.

**7. Regular Business**

**a. Bid Openings** – None this evening.

**b. A/P and Payroll Manifests**

**Mr. Chartrand moves a Weekly Payroll warrant for checks date 7/11/2012 in the amount of \$169,679.66. Mr. Clement Seconds. Vote: Unanimous**

**Mr. Chartrand moves an Accounts Payable warrant for checks dated 7/13/2012 in the amount of \$327,092.46. Mr. Clement Seconds. Vote: Unanimous**

**Mr. Chartrand moves an Accounts Payable warrant for checks dated 7/20/2012 in the amount of \$448,481.94. Mr. Clement Seconds. Vote: Unanimous**

**Mr. Chartrand moves a Weekly Payroll Warrant for a check dated 7/20/2012 in the amount of \$388.13. Mr. Clement Seconds. Vote: Unanimous**

**Mr. Chartrand moves an Accounts Payable warrant for checks dated 7/20/2012 in the amount of \$2,714,695.00. Ms. Gilman Seconds. Vote: Unanimous**

**Mr. Chartrand moves a Capital Funds Payable warrant for checks dated 7/20/2012 in the amount of \$325,915.25. Ms. Gilman Seconds. Vote: Unanimous**

**Mr. Ferraro questions the payee of the check. Mr. Chartrand advises it is to J. Polito & Sons.**

**Mr. Chartrand moves a Weekly Payroll warrant for checks dated 7/18/2012 in the amount of \$236.38. Ms. Gilman Seconds. Vote: Unanimous.**

**c. Budget Updates**

Mr. Dean advises that the Budget Committee met last week. The six month year to date financials were reviewed and he feels the Town is pretty much on target for the year so far.

**d. Tax Abatements & Exemptions**

**Mr. Chartrand moves a warrant for collections of yield tax for map 88, lot 5 in the amount of \$180.31. Ms. Gilman Seconds. Vote: Unanimous**

**e. Water / Sewer Abatements – None this Evening**

**f. Permits – None this Evening**

**g. Town Manager's Report**

Mr. Dean is happy to report the website work continues and the design has been given to the Town Offices. It will be sent to the members of the Board to review. He reports a new process is in the works for a dog warrant. He advises the Town Clerk has come up with something similar to the lines of civil forfeiture process and it has great potential. Once the process has been reviewed it will come before the Board for suggestions or approval.

Mr. Dean would like to express his gratitude to the DPW for working with the pressure issues that arose last week. He praises their hard work and notes they did an excellent job trouble shooting and repairing the cause quickly and efficiently. Any person driving down Front Street can see the patch work and if you drive down Pine Street you can see some of that work also. At this point everyone should have good pressure back. Mr. Dean is also pleased to report the great success of the Festival on Saturday. He notes the weather was perfect and he would like to thank the planning committee for putting the Festival together and the Parks and Recreation Department for a great show and a spectacular fireworks display.

Mr. Ferraro also offers his congratulations to all of the success for all those involved in the festival. He reflects on a visit to the Town of Durham recently by President Obama. He advises Mr. Dean that the

Town of Durham had calculated how much it would cost and has submitted an invoice to the Obama Campaign for reimbursement. He asks Mr. Dean if an invoice is planned for the visit recently to the Town of Exeter by Vice President Joe Biden. Mr. Dean indicates he did look into an invoice and is waiting to hear back from Chief Kane. Much of that event was reported as regular time and he admits when he saw the figures from the Town of Durham he was surprised. He feels if there had been a substantial cost to the Town of Exeter, the Chief of Police would have advised him. Mr. Dean agrees to check in again with the Police Chief and also with DPW.

**h. Legislative Update – None this Evening**

**i. Selectman's Committee Reports**

Mr. Ferraro reports he attended a Water and Sewer Advisory Committee Meeting and there was a review of financials and an update on the Jady Hill Project. He notes there was conversation directly relating to sump pumps and it turns out one house was identified with seven sump pumps in it.

Mr. Clement reports a Conservation Commission meeting in which there was a review of the Jady Hill project. He also attended an RPC meeting in which a population projection for Rockingham County was discussed. He notes that there is a dip in population predicted over the course of the next 30 years with unemployment projections of a 1% growth over the next 30 years.

Mr. Chartrand reports he was unable to attend the Exeter Economic Development Commission. He also reports a chicken dinner presented by the Exeter Retail Store Owners Association that was a large success.

Ms. Gilman reports a Heritage Commission meeting in which the mapping survey results were discussed. She also reports she has approached Senator Shaheen to discuss the cost of the Wastewater Treatment Facility and hopes the Senator can assist with locating additional funds for the project.

Chairman Quandt has nothing to report.

**j. Correspondence**

A letter from Christopher Suprock, PhD tending his resignation to the Technology Committee.

A letter from Leona Nelson regarding a basketball hoop located on Peach Street. She was given permission by the previous residents to remove the hoop from the residence and requests the permission of the Town to enter the property to remove it. The Board consensus is that Ms. Nelson may have the hoop and Mr. Dean agrees to get in touch with her to let her know she may have it.

An email from Frank Ferraro regarding a volunteer of the year award.

A letter from Charlotte Taylor regarding the excellent work of the DPW with a sewer blockage problem she encountered.

A letter from the DHHS Office of Business Operations regarding a Financial Monitoring Report.

A letter from Exeter Healthcare notifying the Town that they are closing their business.

A letter from the City of Portsmouth to the Conservation Law Foundation regarding the Right to Know law 91-A.

A letter from the State of New Hampshire DOT regarding the Exeter Highway Block Grant amounts awarded to the Town of Exeter.

**8. Review Board Calendar**

The Board will meet again in two weeks on Monday, August 6, 2012.

**9. Adjournment**

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

The Board stood adjourned at 9:21p.m.

Respectfully Submitted,

Jennifer Pond  
Recording Secretary

DRAFT MINUTES

Exeter Board of Selectmen  
Non Public Session Minutes  
July 23, 2012

Present: Chairman Quandt, Vice Chairman Clement, Selectman Chartrand, Selectwoman Gilman, Selectman Ferraro. Also Town Manager Russell Dean, HR Director Donna Cisewski, and DPW Director Jennifer Perry. Non public session was held in Wheelwright Room and began at approximately 6:45 p.m.

The Board discussed two items under the non public session exception for employee compensation. The first was a nomination by the Department to hire Trisha Allen into the position of Office Clerk at DPW above the minimum step. Ms. Perry proposes Grade 3, Step 6 under the current SEIU pay plan which has not been updated in 2 years. Ms. Allen has exceptional qualifications and the Department feels the starting wage based on her qualifications is appropriate. She is an Exeter resident and rose above all of the applicants, of which there were over 100.

Selectman Chartrand moved the Board of Selectmen approve the hiring of Trisha Allen at a rate of \$17.0768. Selectman Clement seconded. Ms. Gilman amended the motion to reflect Grade 3, Step 6, Mr. Chartrand agrees. Motion carried unanimously.

Ms. Perry then discussed hiring of the electrician. Mr. Wheeler has over twenty years of experience and could really not take less than the amount agreed to - \$19.44 per hour, which is step 5 on the SEIU scale. She proposes that Mr. Wheeler be increased one step upon receiving his master electrician license, which would allow the pulling of permits.

After discussion it was agreed that Mr. Wheeler would move a step to \$20.03 after receiving his master's electrician license, which is to be acquired in the first year of employment.

Mr. Ferraro moved to hire Mr. Wheeler at the rate of \$19.4480 step 4, move a move to \$20.0304 step 5 when master's electrician license is obtained, and it is to be obtained by the completion of the probationary period. Mr. Chartrand seconded the motion. The motion carried unanimously.

Selectman Clement moved to emerge from non public session. Selectman Ferraro seconded. Roll call vote: Gilman aye, Ferraro aye, Quandt aye, Clement aye, Chartrand aye.

The Board emerged from non public session for their regular business meeting in the Nowak Room.

Respectfully submitted,

Russell Dean  
Town Manager

MEMORANDUM from Ruthanne

JULY 30, 2012

SOME IDEAS: VENDORS IN SWASEY PARKWAY, PROPOSED REGULATION

In order to keep the eastern side of the Parkway available for recreation, vendors will be located on the driveway to the green utility building across from the flagpole. Only three vendors will be allowed. (The selection will be first come, first served or by lottery.) Supporting vehicles will be parked north of the driveway on the same side of the road. Written applications for seasonal use must be received by the Trustees of Swasey Parkway by April first. (We need to draw a plan of the area and indicate spaces to be used.)

**(N.B. What if three vendors apply to sell the same kind of treat? Do we want three popcorn carts, ice cream vendors or three of any other foodstuff? And, what if a craft person applies?)**

SPECIAL EVENTS: Policy and Practice of Swasey Parkway Trustees

For major special events, vendors must receive permission from and pay any additional fees to the party party(ies) holding the events. At present, these are the Independence Museum, the Chamber of Commerce, the Juvenile Diabetes organization and the Farmers' Market, but shall not be limited to these.

**SWASEY PARK  
TRAFFIC CIRCULATION STUDY**

**May 1986**

**Rockingham Planning Commission  
121 Water Street  
Exeter, New Hampshire 03833**

**SWASEY PARKWAY  
TRAFFIC CIRCULATION STUDY**

**QUESTION: Should the Swasey Parkway be made a one-way street and, if so, in what direction?**

In order to answer this question, the Rockingham Planning Commission gathered traffic data at the three locations that would be most affected by making the Parkway one-way:

- ... **Water Street and the Swasey Parkway**
- ... **Main Street and Water Street**
- ... **Newfields Road and the Swasey Parkway**

This data was, in turn, used to determine traffic patterns and conditions, and subsequently analyzed in an effort to anticipate the consequences of making the Parkway one-way inbound, one-way outbound, or left as it is.

The data suggests that, if traffic circulation is changed along the Swasey Parkway, only one intersection will experience a decrease in Level of Service.<sup>1</sup> The level of service at the Main Street/Water Street intersection will decline from "B" to "C" at noon, and from "C" to "D" from 3:30 p.m. to 4:30 p.m. if the Parkway was made one-way out of town.

The Parkway itself is a destination for a number of vehicles, particularly during the 12:00 p.m. to 1:00 p.m. time period. Fourteen percent of the inbound traffic stops in the Parkway during the 12:00 p.m. to 1:00 p.m. period, while 7% of the outbound traffic does the same. During the 3:30 p.m. to 4:30 p.m. period, less than 5% of the vehicles, either inbound or outbound, use the Park as a destination. Obviously, making the Parkway one-way outbound will have the most dramatic impact on individuals wishing to use the Parkway as a destination.

The potential for the Parkway to become less of a destination and more of a through-street, exists with the advent of a one-way system. Vehicles may avoid Water Street and use the Parkway if it represents a quicker means of getting either in or out of town. Unfortunately, the scope of this study does not permit a quantifying of this possibility.

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<sup>1</sup>Level of Service is a method of measuring the impact traffic has on the road network. A Level of Service of "A" means that little or no congestion or delay exists; "B" means slight delay exists; "C" means average delay; "D" is the minimum desirable level of service and represents long delays; "E" exhibits congestion and very long delays; and "F" means roadway failure.



As for actual number of vehicles using the Parkway, the numbers are as follows:

12:00 p.m. to 1:00 p.m. Average Outbound:	99
12:00 p.m. to 1:00 p.m. Average Inbound:	89
3:30 p.m. to 4:30 p.m. Average Outbound:	89
3:30 p.m. to 4:30 p.m. Average Inbound:	82

Historically, traffic counts for Route 101 (the only long-term counts available for Exeter) show a 3% to 5% increase per year. The last annual count, however, showed a 29.9% increase from January 1985 to January 1986. While there is no way to directly correlate this Route 101 traffic increase with Parkway use, it does suggest that Exeter can expect an increase in the number of vehicles using the Parkway.

From this analysis, some pros and cons can be developed on the question of making the Parkway one-way.

#### PROS

- ... The flow of traffic along the Parkway would be improved by eliminating conflicting traffic flow.
- ... One-way traffic may reduce the total number of vehicles using the Parkway. (This can also be considered a con. See Page 3.)
- ... One-way traffic would provide the opportunity to control parking along the Parkway by posting one side as a No Parking Zone.

#### CONS

- ... One-way traffic would increase the speed of vehicular traffic along the Parkway.
- ... If designated one-way outbound, traffic currently using the Parkway to enter the downtown would be forced to use the Water Street/Main Street intersection. Due to limited sight distance at this intersection, a significant safety problem can be anticipated.
- ... If the Parkway were to be designated one-way inbound, downtown Exeter traffic desiring to use the Parkway for recreational purposes would be required to make an extremely difficult right-hand turn from Route 85 in order to enter the Parkway.

... One-way circulation may reduce the number of people using the Parkway and the park. This may reduce the social behavior reinforcement associated with contact with other people.<sup>2</sup>

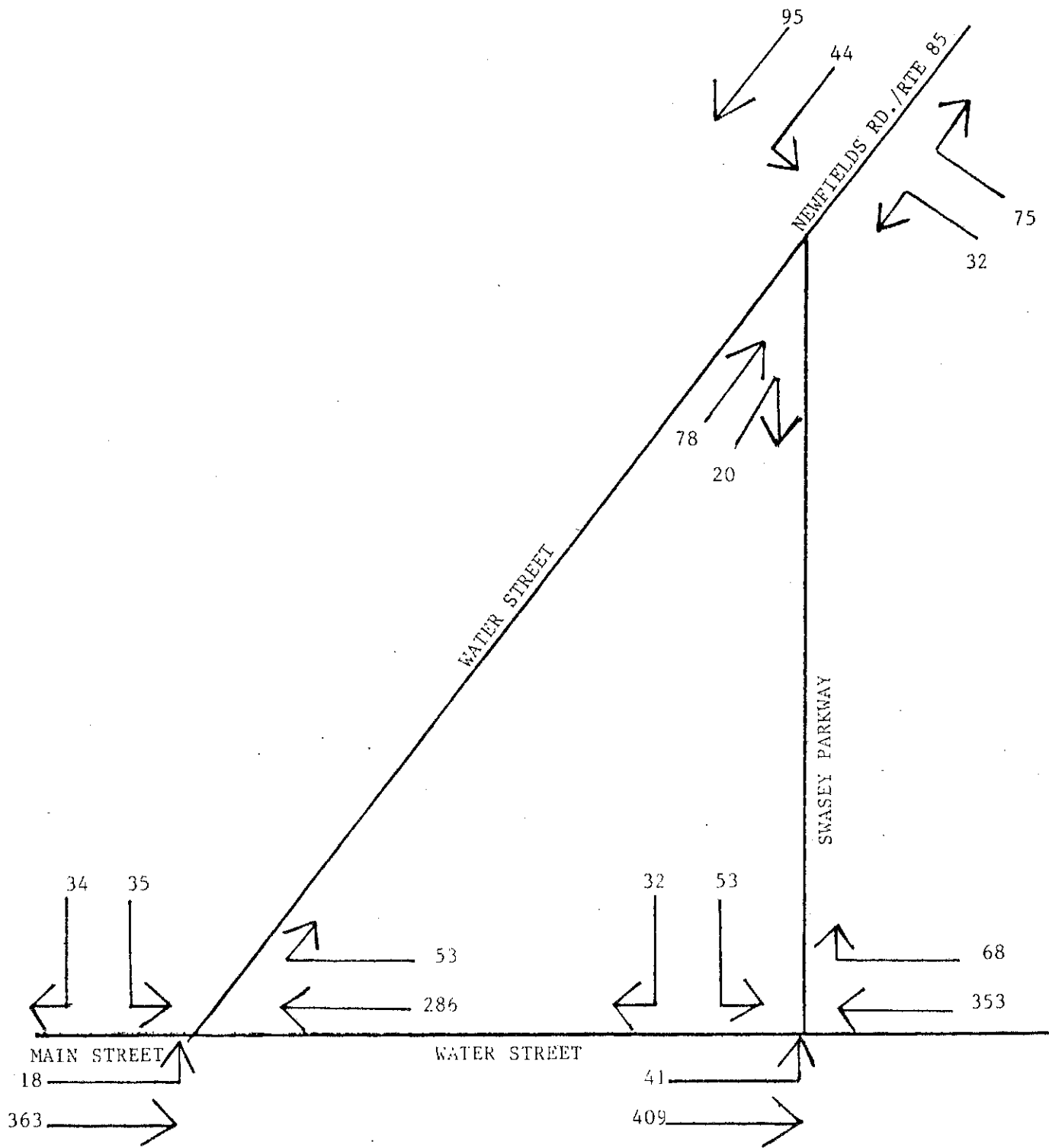
**ANSWER:** Making the Swasey Parkway a one-way street will have negative impacts on traffic flow and recreational use of the Parkway, regardless of the direction of the one-way movement. One-way outbound will seriously affect the intersection of Main and Water Street, and likely increase speeds and potentially traffic along the Parkway, while reducing its use as a recreation area. One-way inbound, while having a neutral or positive effect on traffic at the Main Street/Water Street intersection, will increase speeds and potentially traffic on the Parkway and reduce the Parkway's use for recreational purposes.

If the decision is made to make the Parkway one-way, the least adverse effects would be associated with one-way traffic inbound.

Traffic Flow Diagrams are attached which show existing traffic counts and turning movements for the Parkway and adjacent roadways.

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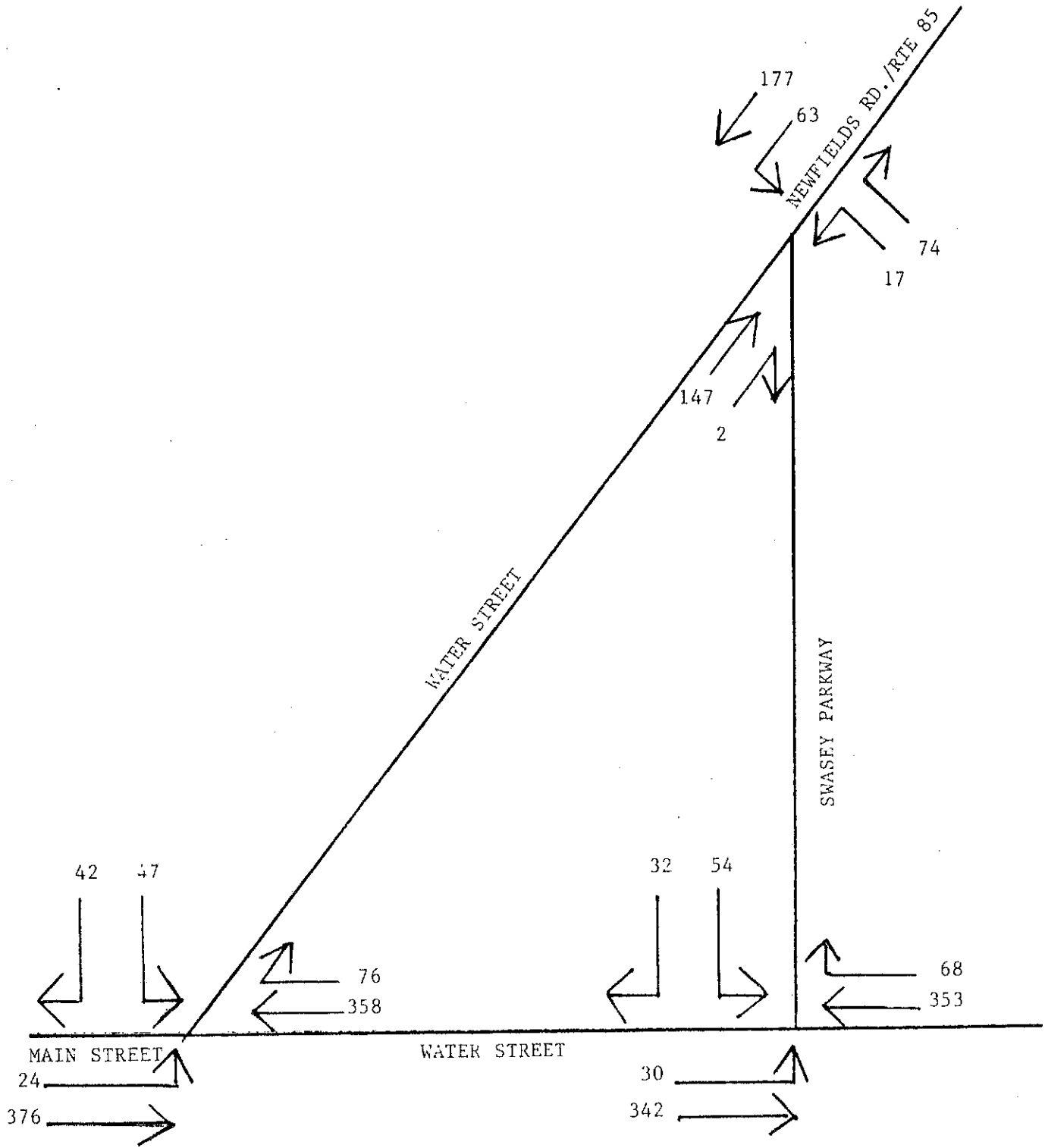
<sup>2</sup>In The Death and Life of Great American Cities (1961), Jane Jacobs discusses the impact people have on the behavior of other people. She notes that crime and vandalism tends to increase when the opportunities for social interaction are reduced. The basic premise is that, with fewer pairs of eyes observing an area, deviant activities tend to increase. The reverse is also true.



# TRAFFIC FLOW DIAGRAM

Exeter, N.H.

April, 1986



# TRAFFIC FLOW DIAGRAM

Exeter, N.H.

April, 1986

**TOWN OF EXETER - EMS REVOLVING FUND  
PRO FORMA - DRAFT updated 7/26/12**

	2011	2012	2013	2014	2015	2016	2017
<b>Income</b>							
Trade Ins - Other		15,000			35,000		
Trade Ambulances	444,971	444,971	444,971	444,971	444,971	444,971	444,971
Revenues (all)	444,971	459,971	444,971	444,971	479,971	444,971	444,971
<b>Total Income</b>							
Transfers In							
<b>Total Revenues</b>	444,971	459,971	444,971	444,971	479,971	444,971	444,971
<b>Expenses</b>							
Wages	124,985	124,985	124,985	124,985	124,985	124,985	124,985
Benefits & Taxes	53,775	53,775	53,775	53,775	53,775	53,775	53,775
Expenses	52,182	52,182	52,182	52,182	52,182	52,182	52,182
Capital Outlay	-	-	66,406	63,773	61,141	77,936	77,936
Capital Lease Payments	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-
<b>Total Expenses</b>	230,942	230,942	297,348	294,715	292,083	308,878	308,878
<b>Balance after Debt/Capital (+/-)</b>		229,029	147,623	150,256	187,888	136,093	136,093
<b>Transfer Out to General Fund</b>		(217,578)	(140,242)	(142,743)	(178,494)	(129,288)	(129,288)
Net Projected Fund Balance		11,451	7,381	7,513	9,394	6,805	6,805
<b>Capital Expenses out of EMS Fund</b>		227,393					
CIP Lease/Purchases			66,406	63,773	61,141	-	-
FY 2012 (EMS Lease)			-	-	77,936	77,936	77,936
FY 2014 (EMS Lease)			-	-	139,077	77,936	77,936
<b>Total Forecast Lease/Purchases</b>			66,406	63,773	139,077	77,936	77,936
<b>CIP Capital Budget</b>		175,523					
2005 Ambulance 2 Replacement (FY12)					222,675		
2007 Ambulance 1 Replacement (FY15)						222,675	
<b>Total Capital Budget</b>		175,523					

35,000 trade value on 3 year lease

# Memorandum

Date: July 9, 2012

To: Jennifer Perry, PE – Public Works Director

From: Paul Vlasich, PE – Town Engineer

Re: Water Street Sewer Interceptor Project – Update

For background, please refer to the attached memorandum dated June 4, 2012 regarding the Water Street Sewer Interceptor Project.

The contractor and consultant have reviewed the options available for completing this interceptor sewer replacement project. The required use of a well point dewatering system at a constricted rate and the additional daily contamination testing for groundwater disposal into the sanitary sewer will require additional costs to be added to the project. The following discussion of options assume the current understanding of pumping rates according to the Industrial Discharge Permit (IDP) analysis and that the contractor could actually construct the project at those rates. While soil and groundwater contamination samples were analyzed at a laboratory, there is the possibility that during construction other areas of the work may contain groundwater contamination levels greater than those currently tested. Increased contamination levels could result in further limitations and increased costs or even lead to the non-constructability of the project.

Option A is to construct the project as currently designed. This assumes that the soil contamination throughout the project is as currently characterized and that construction could occur throughout at pumping levels indicated in the current IDP. Additional costs to the project beyond funds currently available = \$70,000. Additional NHDES funding is not available.

Option B is a reduced design and scope. The under-sized piping and diversion structures are upgraded reducing the possibility of inflow and infiltration. However, the sewer mains flowing under the housing authority remain under the building. Over the last couple of weeks, the sewer department cleaned and televised these mains under the building and found them to be structurally sound. Potential cost savings below the current funding availability of \$68,000.

The only financially viable option within the established budget and with the current pumping and contaminant assumptions is Option B. The contractor will still need to determine if the project can be constructed at the pumping rates through actual construction.

For some general guidelines moving forward, I would suggest the following:

1. Advise NHDES of project scope change. NHDES will require a viable construction project for the funding.
2. Contact the Exeter Housing Authority to update them on this possible solution and schedule to the project and to obtain easements in the proposed new locations. Consider lining the sewer mains under the building if funds are available after construction.
3. Notify contractor of project decisions. The contractor will hold their bid unit prices as required by NHDES. The contractor is available to start on short notice.
4. Coordinate the delivery of contaminated soil containers and holding tanks with the gas company.
5. Start construction by August 1, 2012 and to complete construction by September 28, 2012 and obtain 50% ARRA funding forgiveness.

# Memorandum

Date: June 4, 2012

To: Jennifer Perry, PE – Public Works Director

From: Paul Vlasich, PE – Town Engineer

Re: Water Street Sewer Interceptor Project – Update

The project was bid in July 2011 and awarded to Jamco Excavators in the amount of \$539,955. The construction agreement was signed on October 3, 2011. The work entailed constructing new sewer lines around the Exeter Housing Authority building on Water Street. The route of the new sewer line will be constructed through soil areas previously contaminated by a manufactured gas plant (MGP) and ash deposits from a municipal burn operation. There is a July 2011 MGP contamination management agreement between the Town and Northern Utilities for this project.

The Northern Utilities agreement requires the gas company to dispose of MGP contaminated soils which the contractor places in receptacles and to remove contaminated groundwater which the contractor places in 4,000 gallon tanks.

The contractor has proposed to use well point soil dewatering system to remove groundwater for the constructability of the sewers. The project bid form in both the November 2009 and July 2011 bids included a line item to install and maintain a pre-drained soil dewatering system. Estimates by the contractor for the pumping rate for the well point system was in the order of 1 million gallons per day, which is significantly more than 4,000 gallon tanks are capable of handling.

The housing authority requested some work to be initially performed in front of their main entrance so that concrete walkways could be constructed. The contractor performed this work and while doing so, was able to gauge the groundwater conditions in the area. The groundwater conditions suggested that the use of well points was warranted. Over the winter of 2011-2012 additional test pits and groundwater contamination testing was performed with the help of AECOM, the consultant for the gas company. The purpose of these investigations was to determine if the groundwater could be deposited into the sewer. For the Town, TeTon Environmental utilized the contamination results to calculate allowable groundwater discharges into the sewer and therefore to the wastewater treatment plant (WWTP). TeTon calculated through an industrial discharge permit (IDP) that approximately 300,000 gallons per day could be sent to the WWTP but daily testing would be required and pump rates adjusted accordingly.



Additional negotiations with Northern Utilities with the help of the Mitchell Group regarding the extra groundwater removal rates have not been productive.

The Town is almost at a decision point. The first option is to attempt to construct the project by limiting the contractor to groundwater discharges to the reduced 300,000 gallons per day. The other option is to reconfigure the project design to replace the undersized piping causing additional flows to Clemson Lagoon. However, with this reconfigured option, the two sewer mains flowing under the housing authority building will remain in use. The consultant and contractor are estimating the financial ramifications of both options.

To date, payments to the contractor for work performed and material purchased along with retainage withheld equates to \$117,006. The project funds must be spent by October 2012 to be eligible for ARRA reimbursement.

ATTORNEYS  
**DTCL**  
A T L A W

DONAHUE, TUCKER & CIANDELLA, PLLC

DEDICATED TO CLIENTS - DEDICATED TO COMMUNITY

MICHAEL J. DONAHUE  
CHARLES F. TUCKER  
ROBERT D. CIANDELLA  
LIZABETH M. MACDONALD  
JOHN J. RATGAN  
DENISE A. FOULOS  
ROBERT M. DEROSIER  
CHRISTOPHER L. BOLDT  
SHARON CUDDY SOMERS  
DOUGLAS M. MANSFIELD  
KATHERINE B. MILLER  
CHRISTOPHER T. HILSON  
JESSICA L. ECKER  
KERIANN ROMAN  
OF COUNSEL  
JOY V. RIDDELL  
NICHOLAS R. AESCHLIMAN  
RETIRED  
ROBERT B. DONOVAN  
ROBERT A. BATTLES  
(1951-2010)

*Please Respond to the Exeter Office*

July 12, 2012

*Via Electronic Mail Only*

Paul Vlasich  
Town Engineer  
Town of Exeter  
[pvlasic@town.exeter.nh.us](mailto:pvlasic@town.exeter.nh.us)

Re: Water Street Sewer Project /Exeter Housing Authority.

Dear Paul:

I represent the Exeter Housing Authority. In discussions with Vern Sherman, I understand that you wish to have a meeting with him about a possible easement to proceed with "Option B" as described in your July 9, 2012 memorandum to Jennifer Perry.

Unfortunately, a meeting suitable to your schedule is not possible since Vern will be on vacation starting tomorrow and continuing through the next two weeks. More importantly, the only people authorized to convey an easement is the Board of Directors of the Exeter Housing Authority, and they do not meet until August 2, 2012. You are welcome to be on the agenda for their August 2, 2012 meeting and describe your proposal. If you wish to do so, please contact me, and I will make arrangements for same with EHA.

That said, your proposal will not be recommended for adoption by the Board of Directors due to multiple concerns. First, EHA is concerned that the diversion structure, proposed to be located in the middle of the north parking lot, will create problems with snow removal and possibly cause safety concerns for the elderly such as tripping on the uneven surface. Second, EHA has similar concerns with the proposed manholes to be located within the same parking lot. Third, during construction, a trench will need to be dug in the parking lot immediately in front of the building. The November 24, 2009 report from Ransom Environmental Consultants, Inc. states that the site is highly problematic from an environmental standpoint, so much so that a number of steps are required to protect workers and "off-site receptors" while work is done on the site, including the requirement that workers wear respirators. For the safety of its residents, some of whom have units which front on the parking lot, EHA must operate under the assumption that dangerous materials could be disturbed and become airborne and that its' residents could be exposed to same. This concern is particularly appropriate given the lack of available information on the makeup of the ground in the front of the building. Finally, the original design called for the removal of the sewer pipes which are currently located under the

EXETER OFFICE: WATER ST. PROF. BLDG. • 225 WATER STREET, P.O. BOX 630 • EXETER, NH • 03833 • 603-778-0686

PORTSMOUTH OFFICE: 111 MAPLEWOOD AVENUE • SUITE D • PORTSMOUTH, NH 03801 • 603-766-1686

MEREDITH OFFICE: 56 NH ROUTE 25 • P.O. BOX 214 • MEREDITH, NH 03253 • 603-279-4158

WWW.DTCLAWYERS.COM

Paul Vlasich  
Town Engineer  
July 12, 2012  
Page 2

building, and the new proposal abandons that idea with no guarantees that the issue will ever be addressed. EHA is concerned about this issue because, while the pipes may be structurally sound right now, they will fail at some point, and my understanding is that such failure will result in a sewage backup within the EHA building.

In short, there is no authority for the Town to do anything on site between now and August 2, 2012 except for such rights that are associated with the previously issued easement in the rear of the property. Following any presentation which you may choose to make before the Board of Directors, they will decide whether an easement to facilitate "Option B" will be granted.

Please feel free to contact me if you have any questions.

Very truly yours,

DONAHUE, TUCKER & CIANDELLA, PLLC



Sharon Cuddy Somers  
[ssomers@dtclawyers.com](mailto:ssomers@dtclawyers.com)

SCS:pc

Cc: Vern Sherman ([vern@exeterhousingauthority.org](mailto:vern@exeterhousingauthority.org))  
Tony Teixeira ([tony@exeterhousingauthority.org](mailto:tony@exeterhousingauthority.org))

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COOPERATION AGREEMENT

This Agreement entered into this 26th day of MAY, 1986, by and between the Housing Authority of the Town of Exeter (herein called the "Local Authority") and the Town of Exeter, New Hampshire (herein called the "Municipality"), witnesseth:

In consideration of the mutual covenants hereinafter set forth, the parties hereto do agree as follows:

1. Whenever used in this Agreement:

(a) The term "Project" shall mean any low-rent housing hereafter developed or acquired by the Local Authority with financial assistance of the United States of America acting through the Secretary of Housing and Urban Development (herein called the "Government"); excluding, however, any low-rent housing project covered by any contract for loans and annual contributions entered into between the Local Authority and the Government, or its predecessor agencies, prior to the date of this Agreement.

(b) The term "Taxing Body" shall mean the State or any political subdivision or taxing unit thereof in which a project is situated and which would have authority to assess or levy real or personal property taxes or to certify such taxes to a taxing body or public officer to be levied for its use and benefit with respect to a Project if it were not exempt from taxation.

(c) The Term "Shelter Rent" shall mean the total of all charges to all tenants of a Project for dwelling rents and nondwelling rents (excluding all other income of such Project), less the cost to the Local Authority of all dwelling and nondwelling utilities.

(d) The term "Slum" shall mean any area where dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitation facilities, or any combination of these factors, are detrimental to safety, health, or morals.

2. The Local Authority shall endeavor (a) to secure a contract or contracts with the Government for loans and annual contributions covering one or more Projects comprising approximately Fifty (50) units of low-rent housing and (b) to develop or acquire and administer such Project or Projects, each of which shall be located within the corporate limits of the Municipality. The obligations of the parties hereto shall apply to each such Project.

3. (a) Under the constitution and statutes of the State of New Hampshire, all Projects are exempt from all real and personal property taxes and special assessments levied or imposed by any Taxing Body. With respect to any Project, so long as either (i) such Project is owned by a public body or governmental agency and is used for low-rent housing purposes, or (ii) any contract between the Local Authority and the Government for loans or annual contributions, or both, in connection with such Project remains in force and effect, or (iii) any bonds issued in connection with such Project or any monies due to the Government in connection with such Project remain unpaid, whichever period is the longest, the Municipality agrees that it will not levy or impose any real or personal property taxes or special assessments upon such Project or upon the Local Authority with respect thereto. During such period, the Local Authority shall make annual payments (herein called "Payments in Lieu of Taxes") in lieu of such taxes and special assessments and in payment for the Public services and facilities furnished from time to time without other cost or charge for or with respect to such Project.

(b) Each such annual Payment in Lieu of Taxes shall be made after the end of the fiscal year established for such Project, and shall be in an amount equal to either (i) ten percent (10%) of the Shelter Rent actually collected but in no event to exceed ten percent (10%) of the Shelter Rent charged by the Local Authority in respect to such Project during such fiscal year or (ii) the amount permitted to be paid by applicable State law in effect on the date such payment is made, whichever amount is the lower.

(c) The Municipality shall distribute the Payments in Lieu of Taxes among the Taxing Bodies in the proportion which the real property taxes which would have been paid to each Taxing Body for such year if the Project were not exempt from taxation bears to the total real property taxes which would have been paid to all of the Taxing Bodies for such year if the Project were not exempt from taxation; Provided, however, That no payment for any year shall be made to any Taxing Body in excess of the amount of the real property taxes which would have been paid to such Taxing Body for such year if the Project were not exempt from taxation.

(d) Upon failure of the Local Authority to make any Payment in Lieu of Taxes, no lien against any Project or assets of the Local Authority shall attach, nor shall any interest or penalties accrue or attach on account thereof.

4. The Municipality agrees that, subsequent to the date of initiation (as defined in the United States Housing Act of 1937) of each Project and with five years after the completion thereof, or such further period as may be approved by the Government and in addition to the number of unsafe or insanitary units which the Municipality is obligated to eliminate as a part of the low-rent housing project(s) heretofore undertaken by the Local Authority and identified as Project(s) No. (a) NH36-P014-002, 003 and 004 there has been or will be elimination, as certified by the Municipality, by demolition, condemnation, effective closing, or compulsory repair or improvement, of unsafe or insanitary dwelling units situated in the locality or metropolitan area in which such Project is located, substantially equal in number to the number of newly constructed dwelling units provided by such Project, Provided, That, where more than one family is living in an unsafe or insanitary dwelling unit, the elimination of such unit shall count as the elimination of units equal to the number of families accommodated therein; and Provided, further, That this paragraph 4 shall not apply in the case of (i) any Project developed on the site of a Slum cleared subsequent to July 15, 1949, and that the dwelling units eliminated by the clearance of the site of such Project shall not be counted as elimination for any other Project or any other low-rent housing project, or (ii) any Project located in a rural nonfarm or Indian area.

5. During the period commencing with the date of the acquisition of any part of the site or sites of any Project and continuing so long as either (i) such Project is owned by a public body or governmental agency and is used for low-rent housing purposes, or (ii) any contract between the Local Authority and the Government for loans or annual contributions, or both, in connection with such Project remains in force and effect, or (iii) any bonds issued in connection with such Project or any monies due to the Government in connection with such Project remain unpaid, whichever period is the longest, the Municipality without cost or charge to the Local Authority or the tenants of such Project (other than the Payments in Lieu of Taxes) shall:

(a) Furnish or cause to be furnished to the Local Authority and the tenants of such Project public services and facilities of the same character and to the same extent as are furnished from time to time without cost or charge to other dwellings and inhabitants in the Municipality;

(b) Vacate such streets, roads, and alleys within the area of such Project as may be necessary in the development thereof, and convey without charge to the Local Authority such interest as the Municipality may have in such vacated areas; and, in so far as it is lawfully able to do so without cost or expense to the Local Authority or to the Municipality, cause to be removed from such vacated areas, in so far as it may be necessary, all public or private utility lines and equipment;

(c) In so far as the Municipality may lawfully do so, (i) grant such deviations from the building code of the Municipality as are reasonable and necessary to promote economy and efficiency in the development and administration of such Project, and at the same time safeguard health and safety, and (ii) make such changes in any zoning of the site and surrounding territory of such Project as are reasonable and necessary for the development and protection of such Project and the surrounding territory;

(d) Accept grants of easements necessary for the development of such Project; and

(e) Cooperate with the Local Authority by such other lawful action or ways as the Municipality and the Local Authority may find necessary in connection with the development and administration of such Project.

6. In respect to any Project the Municipality further agrees that within a reasonable time after receipt of a written request therefore from the Local Authority:

(a) It will accept the dedication of all interior streets, roads, alleys, and adjacent sidewalks within the area of such Project, together with all storm and sanitary sewer mains in such dedicated areas, after Local Authority, at its own expense, has completed the grading, improvement, paving, and installation thereof in accordance with specifications acceptable to the Municipality;

(b) It will accept necessary dedications of land for, and will grade, improve, pave, and provide sidewalks for, all streets bounding such Project or necessary to provide adequate access thereto (in consideration whereof the Local Authority shall pay to the Municipality such amount as would be assessed against the Project site for such work if such site were privately owned); and

(c) It will provide, or cause to be provided, water mains, and storm and sanitary sewer mains, leading to such Project and serving the bounding streets thereof (in consideration whereof the Local Authority shall pay to the Municipality such amount as would be assessed against the Project site for such work if such site were privately owned).

7. If by reason of the Municipality's failure or refusal to furnish or cause to be furnished any public services or facilities which it has agreed hereunder to furnish or to cause to be furnished to the Local Authority or to the tenants of any Project, the Local Authority incurs any expense to obtain such services or facilities then the Local Authority may deduct the amount of such expense from any Payments in Lieu of Taxes due or to become due to the Municipality in respect to any Project or any other low-rent housing projects owned or operated by the Local Authority.

8. No Cooperation Agreement heretofore entered into between the Municipality and the Local Authority shall be construed to apply to any Project covered by this Agreement.

9. No member of the governing body of the Municipality or any other public official of the Municipality who exercises any responsibilities or functions with respect to any Project during his tenure or for one year thereafter shall have any interest, direct or indirect, in any Project or any property included or planned to be included in any project, or any contracts in connection with such Projects or property. If any such governing body member or such other public official of the Municipality involuntarily acquires or had acquired prior to the beginning of his tenure any such interest, he shall immediately disclose such interest to the Local Authority.

10. So long as any contract between the Local Authority and the Government for loans (including preliminary loans) or annual contributions, or both, in connection with any Project remains in force and effect, or so long as any bonds issued in connection with any Project or any monies due to the Government in connection with any Project remain unpaid, the Agreement shall not be abrogated, changed, or modified without the consent of the Government. The privileges and obligations of the Municipality hereunder shall remain in full force and effect with respect to each Project so long as the beneficial title to such Project is held by the Local Authority or by any other body or governmental agency, including the Government, authorized by law to engage in the development or administration of low-rent housing projects. If at any time the beneficial title to, or possession of, any Project is held by such other public body or governmental agency, including the Government, the provisions hereof shall inure to the benefit of and may be enforced by, such other public body or governmental agency, including the Government.

IN WITNESS WHEREOF the Municipality and the Local Authority have respectively signed this Agreement and caused their seals to be affixed and attested as of the day and year first above written.

Town of Exeter, New Hampshire  
Corporate Name of Municipality

By Sherman E. C. Lester  
Chairman, Board of Selectmen

Attest:

Maudlin Willoughby  
Town Clerk

Housing Authority of the Town of Exeter  
Corporate Name of Local Authority

By Rahmetally  
Chairman

Attest:

Secretary  
Secretary

Received in the presence of Town Clerk in Exeter  
27, 1916  
of Maudlin Willoughby  
Town Clerk



# Exeter Housing Authority

---

277 Water Street, Exeter, NH 03833-1719

Mr. Paul Vlasich  
P.E., Town Engineer  
Town Office Building  
10 Front Street  
Exeter NH 03833

RE: Sewer Easement Deed

Dear Paul:

We are enclosing a copy of the Sewer Easement Deed by our Attorney Donahue, Tucker & Ciandella, PLLC of Exeter, NH. They advised us not to sign this easement until the project was finished. We will sign this easement when the project is finished.

Sincerely,

A handwritten signature in black ink, appearing to read "Vernon R. Sherman". The signature is written in a cursive, flowing style.

Vernon R. Sherman  
Executive Director



## TEMPORARY CONSTRUCTION ACCESS AGREEMENT

NOW COMES, THE HOUSING AUTHORITY OF THE TOWN OF EXETER, NEW HAMPSHIRE, a New Hampshire municipal corporation, having a place of business at 277 Water Street, Exeter, NH 03833 ("EHA") and the TOWN OF EXETER, a New Hampshire municipal corporation, having a place of business at 10 Front Street, Exeter, NH 03833 (the "Town"), and agree that the Town shall have the right to enter upon the property situated at 277 Water Street, Exeter, NH (the "Property") for the purpose of upgrading the sewer infrastructure as shown on Drawing P-1 "Plan View" prepared by Underwood Engineers Inc. dated 6/09 (Exhibit A), subject to the following terms and conditions:

1. The granting of this consent and permission shall not create in the Town any other right with respect to the use or improvements on the Property.
2. The Town shall defend and hold EHA harmless from any and all claims and liabilities arising from the Town's construction activities.
3. The Town, its successors and assigns, hereby covenant and agree that such construction shall be conducted in a good and workmanlike manner and that any and all damage or disturbance to the Property caused by such construction shall be remedied and repaired. The Town agrees to minimize interference with EHA's use of the Property, and its ingress and egress to the Property. The Town will repair all damage to the land arising out of or in connection with its access and use and will clean and remove all debris.
4. The North Parking Lot may be used as a staging area for a period of up to eight (8) weeks during construction. During this time, EHA will not use the North Parking Lot for access to the building or for parking. Any requests by the Town to use the North Parking Lot beyond the eight (8) week period referenced above will require the consent of EHA. Once the Town has completed its use of the North Parking Lot as a staging area, then the Town shall patch and maintain as appropriate the trench in the North Parking Lot. A permanent one inch overlay shall be applied on or about the same time as the permanent overlay for the horseshoe lot referenced below.
5. When construction in the horseshoe lot in front of the building is completed, the Town will fix and completely overlay the entire driveway and parking lot in the Spring of 2010.
6. The Town shall provide a temporary ramp/walkway with a railing that will connect the walkway along Swasey Parkway with the Academy parking lot for displaced tenants.

WR 5  
11-84-2009

7. The Town shall provide EHA with a copy of the contractor's construction progress schedule defining planned operations for the first twenty (20) days of work, with a general outline for the remainder of the work.

8. The Town shall provide EHA with copies of a Certificate of Liability Insurance for prime and sub-contractors that will be working on the Property listing EHA as an additional insured.

9. EHA may attend preconstruction and construction meetings.

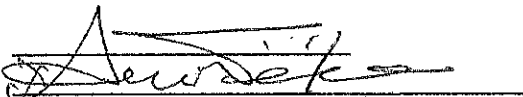
10. Any tree that has to be moved and that cannot be salvaged shall be replaced by a linden tree with a smaller caliper than that which currently exists.

11. Access to the Property shall be limited to the areas of construction outlined in the drawings dated June 22, 2009 (Exhibit B).

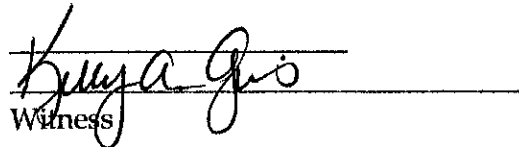
12. If at any time the Town, or its agents, are in violation of this Agreement, then EHA shall provide notice of this belief to the Town with a request that the violation be corrected within a reasonable timeframe. If the violation is not corrected, then EHA, and its Board of Commissioners, reserve the right to terminate this Agreement.

**WHEREFORE** the parties have hereunto set their hands this 24th day of November, 2009.

**THE**




Witness



Witness

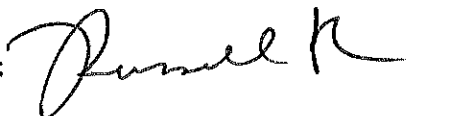
**THE HOUSING AUTHORITY OF**

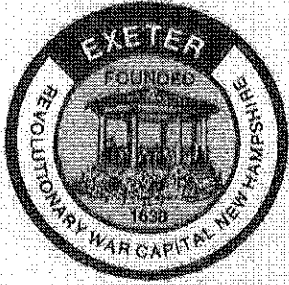
**TOWN OF EXETER**

By: 

Its: Executive Director

**TOWN OF EXETER**

By:   
Its: Town Manager



# TOWN OF EXETER

10 FRONT STREET EXETER, NEW HAMPSHIRE 03833-2792

[www.town.exeter.nh.us](http://www.town.exeter.nh.us)

August 2, 2012

TO: Board of Selectmen  
Russ Dean, Town Manager

FROM: Mike Favreau

RE: Surplus Tractor

The Parks and Recreation Department has had a Toro tractor in storage in a storage building at the Recreation Park for a few years now. We last used it 3 years ago. It was purchased by the Town probably 15 years ago. It is too big and heavy for many of our spots and is difficult to get on our trailers.

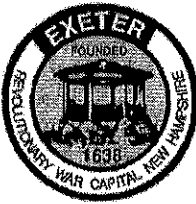
We would like to get it out of storage and use that space. I would like to sell it by sealed bid if it could be declared surplus equipment. We do not see it being used any time in the future.

PARKS AND RECREATION DEPARTMENT

32 COURT STREET, EXETER, NH 03833  
Tel (603) 773-6151 Fax (603) 773-6152

**Town Facilities / Permits**  
**August 6 - August 19, 2012**

<b>Date</b>	<b>Event Hours</b>	<b>Length of Rental</b>	<b>Facility/Permit</b>	<b>Group/Purpose</b>
8/16	9am - 12pm		Town Hall	Pre-proposal Consultant Meeting
8/16	6pm -8:30pm		Town Hall	Seacoast Idol
8/17	3pm - 4pm	9am - 5pm	Town Hall	Muscial Arts



# Application for Use of Town Facility

Forms can be mailed: Town of Exeter, 10 Front Street, Exeter, NH 03833  
Faxed #: 603-772-4709 or emailed: [twnmgr@town.exeter.nh.us](mailto:twnmgr@town.exeter.nh.us)

Facility Requested: Town Hall (Main Floor)  Town Hall Stage  Bandstand

### Representative Information:

Name: Frank Heffron Address: 4 Minuteman Lane  
Town/State/Zip: Exeter Phone: 772-4659  
Email: fheffron@comcast.net Date of Application: July 30, 2012

### Organization Information:

Name: First Unitarian Universalist Society of Exeter Address: 10 Elm St.  
Town/State/Zip: Exeter Phone: 772-4002

### Reservation Information:

Type of Event/Meeting: Public Forum <sup>on Proposed Constitutional Amendments in November Election</sup> Date: Sept. 19, 2012  
Times of Event: 7:00 pm Times needed for set-up/clean-up: \_\_\_\_\_  
# of tables: \_\_\_\_\_ # of chairs: \_\_\_\_\_  
List materials being used for this event: rows of chairs; podium  
Will food/beverages be served? No Description: \_\_\_\_\_

### Requirements:

- Cleaning Deposit:** A cleaning deposit of \$100 is required of any user serving food or beverages. If the town determines after use that the building acceptably cleaned, the deposit fee will be returned to user. No food is allowed in Main Hall of the Town Hall. If food is to be served and/or prepared in foyer of Town Hall, the electrical outlet cannot exceed 20 amps. For more information call Kevin Smart, Maintenance Superintendent at 773-6162 prior to use.
- Liability Insurance Required:** The Town requires liability insurance to be submitted with this completed application. Required insurance amounts: General Liability/Bodily Injury/Property Damage: \$300,000/\$1,000,000. The Town of Exeter must be listed as additional insured.
- Rental Fee:** For Town Hall use there is a fee of \$75.00 per day, a payment of \$250 may be required for use of main floor and stage for more than a single day. You may request a waiver of the rental fee in writing.
- Keys:** Access to a town building after normal business hours requires a key sign out. Forms and keys can be obtained from the Town Manager's office at the Town Office during normal business hours (there is no other option for obtaining a key). A key can be collected up to 24 hours before your event (with the exception of Sunday events).

Signing below acknowledges receipt of and agreement to all rules, regulations and requirements pertaining to the use of a town facility. Permit approvals are contingent upon proper insurance and fees paid to the Town of Exeter.

Applicant signature: Frank Heffron Date: 7/30/12

Authorized by the Board of Selectmen/Designee: \_\_\_\_\_ Date: \_\_\_\_\_

Office Use Only:  
Liability Insurance: On file  In-process  Will receive by \_\_\_\_\_  
Fee: Paid  Will pay by \_\_\_\_\_ Non-profit fee waiver requested

**FULMER ASSOCIATES**  
BUILDING EXTERIOR CONSULTANTS LLC

July 20th, 2012

Mr. Kevin Smart  
C/o Exeter Public Works Dept.  
13 Newfields Rd.  
Exeter, NH 03833

**POST-BID MEMORANDUM:**

**Recommendations for project scope and budget, for the slate roof replacement on the Exeter Historical Society Building, Exeter NH.**

Dear Mr. Smart,  
Contractor bids for the slate roof replacement on the Exeter Historical Society building are listed below in descending order as follows:

1. Crocker Architectural Sheet Metal. Co., Inc.  
129 Southbridge Road,  
North Oxford, Ma. 01537  
Bid     \$ 268,000.00.

2. Mahan Slate Roofing Company Inc.  
P.O. Box 2860  
Springfield, Ma. 01101  
Bid     \$254,750.00.

3. The Heritage Company  
P.O. Box 71,  
545 Main Street  
East Waterboro, Me 04030  
Bid     \$237,070.00.

4. A.W. Therrien Co., Inc.  
199 Hayward Street  
Manchester, NH 03103  
Bid     \$209,094.00.

**SUMMARY:**

The Town of Exeter has established the budget for this project at \$99,000.00 for 2012. This budget amount was established when it was believed that the scope of work would only

require replacement of the flashing details and any broken or missing slate. The source of the information was one of the bidding contractors. The results of subsequent forensic roof inspections by Fulmer Associates LLC, revealed that the roof underlayment is in poor condition and requires 100% replacement. In addition, the roof sheathing requires spot repairs and re-nailing. Consequently, it is necessary to remove all roofing slate to facilitate this scope of work. As a result, the contractor bids exceeded the established project budget of \$99,000.00. The total project cost based on the scope of work described in the project documents, should be approximately \$250,000.00 according to current industry pricing.

## **RECOMMENDATIONS:**

### **1. Bid Evaluation:**

Contractor bids #1 and #4 are inconsistent with current industry pricing. Bid #1 is \$18,000.00 above the median project cost estimate and bid #4 is \$40,906.00 below the median project cost estimate. It is the recommendation of this firm to remove bids #1 and #4 from award consideration.

Bid #2 is \$17,680.00 above bid #3. Contractor #2 is located at a distance from the project that requires them to obtain local accommodations for their crews. Without the added expense of travel "room and board", contractors #2 and #3 would be very close in their pricing.

### **2. Project Scope Redevelopment:**

Based on the available budget of \$99,000.00 for 2012, we make the following recommendations:

Contact contractors #2 and #3 and establish a post-bid meeting with both parties. Disclose the 2012 budget number of \$99,000.00 and request that each contractor re-submit their bid, outlining the extent of work that they could complete for \$99,000.00, based on the existing project documents and specifications. The balance of the work could then be completed next year (2013) by the contractor awarded the work in 2012. The exact scope of work should be clearly defined and listed in the project contract documents.

This firm is familiar with both contractor #2 and #3 and recommends both as capable and reliable contractors.

Sincerely,

Robert Fulmer, Principal  
Fulmer Associates,  
Building Exterior Consultants LLC.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Region 1  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912

JUL 24 2012

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Russell Dean, Town Manager  
Town of Exeter  
10 Front Street  
Exeter, NH 03833-2792

Re: NPDES Permit No. NH0100871  
Administrative Order Docket No. 10-024  
*Wastewater Collection System Capacity, Management, Operation and Maintenance (CMOM) Program Document*, prepared by Underwood Engineers, Inc., January 31, 2012  
*CMOM Program Implementation Annual Report*, January 26, 2012

Dear Mr. Dean:

EPA and the New Hampshire Department of Environmental Services ("NHDES") have received and reviewed the *January 31, 2012 Wastewater Collection System Capacity, Management, Operation and Maintenance (CMOM) Program Document* ("2012 O&M Plan") including the CMOM Corrective Action Plan and Implementation Schedule, and the *January 26, 2012 CMOM Program Annual Implementation Report* ("2011 Annual CMOM Report") submitted by the Town of Exeter, New Hampshire ("Town" or "Exeter") per Paragraphs IV.10. and IV.11 of Administrative Order Docket No. 10-024 ("Order" or "AO"). The Agencies' comments on the 2012 O&M Plan and Implementation Schedule, and the 2011 Annual CMOM Report are included in Attachment A of this letter. EPA and NHDES request that Exeter address the comments in Attachment A by January 31, 2013 with its submission of the Town's Annual CMOM Report summarizing its 2012 activities as required by Paragraph IV.11 of the Order.

**Supplemental Order Schedule**


Section F. of the Executive Summary of Exeter's 2012 O&M Plan included a five-year CMOM Corrective Action Plan Implementation Schedule. By this letter, the following dates in the CMOM Corrective Action Plan Implementation Schedule are incorporated into the Order and are enforceable pursuant to Paragraph IV.9. of the Order:



- A. By **December 15, 2012**, the deadline previously incorporated into the AO schedule, the Town shall prepare and submit the draft CSO Long-term Control Plan to EPA and the NHDES. (For details, please refer to Exeter's April 19, 2011 *Scope of Work, Infiltration and Inflow Engineering Evaluation* and EPA's May 5, 2011 letter to Exeter.)
- B. By **December 31, 2012**, the Town shall: (1) review and propose revisions to the Sewer Use Ordinance to require private sewer systems to comply with the Town's CMOM Program; (2) evaluate the causes of sanitary sewer overflows ("SSOs") in the Linden Street (SMH 455-459) and Fox Chapel Court (SMH 230 & 231) areas; (3) evaluate whether quarterly inspection/maintenance of the Water Street Condo Association private sewers will effectively control SSOs; (4) establish procedures for Collection System complaint tracking; (5) establish a system for managing work orders, inspections, and preventative maintenance; (6) establish grease interceptor inspection protocol and checklist; and (7) prepare a draft CMOM emergency response plan.
- C. By **January 31, 2013**, the deadlines referenced as "to-be-determined" or "contingent on Town approval of funds" shall be updated and added to a revised schedule and submitted with the next CMOM Annual Report.
- D. By **December 31, 2015**, the Town shall complete construction of the Jady Hill sewer improvement project, perform CMOM tasks including routine siphon cleaning and evaluate whether SSOs in this area have been eliminated or if additional measures must be taken.
- E. By **December 31, 2017**, based on information obtained during Collection System cleaning and assessment, the Town shall complete the update of the CMOM program document and Collection System sewer inventory data, management of maintenance tasks, and incorporate record drawings information into the GIS system.

Please telephone Joy Hilton of my staff at (617) 918-1877 or have your attorney contact Michael Wagner at (617) 918-1735 if you have any questions.

Sincerely,



Susan Studlien, Director  
Office of Environmental Stewardship

Attachment

cc: Tracy Wood, NHDES  
Jennifer Perry/ Michael Jeffers, Exeter, NH

## Attachment A

1. The Agencies' note that *Exeter's 2011 Annual CMOM Report* did not include:
  - "a description of the activities that the Town has implemented to measure the effect and success of its efforts" per Paragraph IV.11.b. of the AO; and
  - "a description of any existing or proposed Town programs designed to reduce the levels of extraneous flows that enter the Town's Collection System and the specific measures that were taken by the Town under these programs during the past calendar year including whether properties are inspected during the property transfer process to determine whether infiltration/inflow sources are tied into the Collection System" per Paragraph IV.11.e. of the AO.

Please prepare and implement programs to comply with the tasks described in Paragraphs IV.11.b. and IV.11.e. of the Order, and include descriptions of these activities and programs in the Town's Annual CMOM Reports beginning with the report for 2012 due by January 31, 2013.

2. The Agencies' comments on *Exeter's 2012 O&M Plan* are as follows:
  - a. Page 3, Section 1.C., 4<sup>th</sup> bullet down, states "Inspection and sampling of grease interceptors/separators is performed as necessary by the WWTF Operator and wastewater collection system operators." Page 26 of the 2012 O&M Plan indicated that Exeter "is planning to require a more rigorous [fats oils and grease ("FOG")] inspection and sampling program in the future." The Agencies agree that Exeter should give priority to updating its formal grease trap inspection/FOG program, and, as Exeter develops its FOG program, it should provide status updates in its Annual Reports.

For assistance:

- Ray Gordon, DES FOG specialist, is available for help in the development of a FOG program or Fact Sheet. Ray Gordon can be reached at (603) 271-3571 or at [ray.gordon@des.nh.gov](mailto:ray.gordon@des.nh.gov).
  - In addition, the Narragansett Bay Commission has developed best management practices for FOG under an EPA State Innovation Grant; materials are available at <http://www.narrabay.com/en/ProgramsAndProjects/PollutionPrevention/Fats%20Oils%20and%20Grease%20Compliance.aspx>
- b. Page 6, Table 1: Collection System Map Information, first column "Information Displayed on Provided O&M Maps" lists that "length" is provided on the O&M maps; however, none of the maps show the length between manholes. Under the "Planned Future Mapping Updates" column of Table 1, Exeter indicated that "age" and "material" information

- i. Page 50, Section 11.A. The 2012 O&M Plan indicates that Exeter "will complete as-needed reviews of our Preventative Maintenance program and this plan beginning in January 2015." EPA and the NHDES recommend that the O&M Plan be updated as new information becomes available in order to keep the plan current. Please revise this section of the O&M Plan accordingly and update appropriately.

**End of Comments**

# United States Senate

WASHINGTON, DC 20510

July 17, 2012

Administrator Lisa P. Jackson  
Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Re: Great Bay Municipal Coalition Peer Review Request

Dear Administrator Jackson:

We are writing on behalf of the New Hampshire Great Bay Municipal Coalition, consisting of the towns of Dover, Exeter, Newmarket, Portsmouth and Rochester, who have contacted us requesting assistance with the ongoing concerns they have with the Environmental Protection Agency. Enclosed please find a letter from the cities of Portsmouth and Dover, New Hampshire regarding a request for an independent scientific peer review of the numeric nutrient criteria.

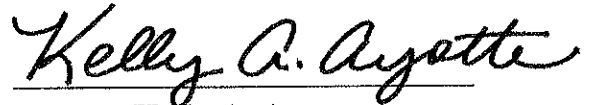
We respectfully ask that you review the Coalition's concerns in a timely manner and we look forward to hearing back from you. We hope that we can continue to work collaboratively to address the challenging issues facing the Great Bay Estuary.

Thank you in advance for your consideration of this request.

Sincerely,



Jeanne Shaheen  
U.S. Senator



Kelly A. Ayotte  
U.S. Senator

Cc: Ms. Ellen Gilinsky, Senior Policy Advisor, EPA Office of Water  
Curt Spalding, EPA Region I Administrator  
Thomas Burack, Commissioner of NH DES  
The Honorable Dean Trefethen, Mayor, City of Dover  
Matthew Quandt, Chair, Exeter Board of Selectmen  
Philip Nazzaro, Chair, Newmarket Town Council  
The Honorable Eric Spear, Mayor, City of Portsmouth  
The Honorable T. J. Jean, Mayor, City of Rochester

MAYOR  
and  
CITY COUNCIL  
citycouncil@dover.nh.gov



288 Central Avenue  
Dover, New Hampshire 03820-4169  
(603) 516-6000  
Fax: (603) 516-6666  
www.dover.nh.gov

## City of Dover, New Hampshire

June 29, 2012

**VIA E-MAIL**

Ms. Ellen Gilinsky  
Senior Policy Advisor, Office of Water  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

**Re: June 28, 2012, Meeting on Great Bay Nutrient and Science Misconduct Issues**

Dear Ms. Gilinsky:

The Great Bay Municipal Coalition members greatly appreciated the opportunity to review key technical and regulatory concerns underlying our objections to the Region's proposed "limits of technology" (LOT) nitrogen requirements for our communities. As documented in our letter of May 4, 2012, and discussed at the meeting by our experts, the Region's proposed action is inappropriate because (1) federally-funded scientific studies and expert reviews have repeatedly determined Great Bay does not have any type of nutrient-induced transparency problem, (2) the Region's peer review process was seriously flawed and biased to produce reviews that supported the Region's position, and (3) the Region repeatedly changed scientific and regulatory findings to accommodate requests from the Conservation Law Foundation. Moreover, the Region's claim that LOT is required where significant non-point source (NPS) controls are necessary is not and never has been the position of EPA. If the Region's position correctly reflected existing regulatory requirements, LOT would be mandated throughout the Midwest and Chesapeake Bay due to nutrient impairments in those locations and high NPS load contributions. This new regulatory interpretation, however, has never been imposed in those areas, which have distinct nutrient problems. Given the very minor effect that increased nutrient levels have had on Great Bay – as repeatedly documented in the Piscataqua River Estuary Project reports for the past decade – there is no rational scientific or regulatory basis for now imposing such requirements on our citizens. Alternatively, the Coalition has supported an adaptive management approach and reasonable nitrogen reductions as a precautionary measure to protect the Estuary's resources.

At our meeting, you indicated that EPA did follow its peer review policy and had conducted a valid peer review. We would ask that EPA rethink that position, as it is not objectively

supported by the peer review record. The following events are well documented in the peer review record:

1. The public was excluded from the peer review, affecting over \$100 million in municipal expenditures, despite the state's position that community involvement should be allowed. This is contrary to both law and federal peer review policies.
2. The documentation provided to the reviewers excluded the numerous prior analyses and data evaluations (most of which were developed by DES and presented to EPA) that confirmed (1) nitrogen had not caused excessive plant growth in the system; (2) system transparency had never changed during the period of apparent eelgrass decline; (3) color and turbidity, not nutrients, controlled system transparency; (4) the causes of changing eelgrass populations were unknown; and (5) Great Bay was not a "transparency-limited" system. The failure to provide all relevant scientific information certainly violates federal peer review policies.
3. The peer review charge questions were crafted to avoid any serious scientific review and certainly did not address any of the key scientific questions raised by the Coalition (e.g., What data from this system show (a) increasing nitrogen has caused excessive plant growth and (b) transparency has changed during the period of eelgrass decline?). Failure to raise the critical scientific questions thoroughly undermined the basic purpose of a peer review.
4. This peer review occurred without consideration of EPA's 2009 Science Advisory Board peer review, which concluded the type of "stressor-response" analysis used to generate the stringent TN criteria was not "scientifically defensible," did not demonstrate "cause and effect," and could misallocate local resources. We would note further that the recent depositions conducted of key experts and DES scientists confirmed that the methods used in the criteria development did not demonstrate "cause and effect." The key admissions made in those depositions were provided as part of the briefing materials given to the Agency.

Given these facts, plainly documented in the record presented to EPA Headquarters, it is hard to understand why EPA would defend the prior peer review exercise as consistent with federal policies and law. In any event, as discussed at our meeting, the Coalition's issues could be resolved by conducting an open, complete peer review that assesses the technical validity and need for stringent nitrogen criteria to protect the Estuary. The peer reviewers should be comprised of local University of New Hampshire scientists with decades of expertise on Great Bay issues and nationally recognized experts on pollutant fate and transport. Our communities are willing to live with the results of such a peer review, as it will ensure our municipal expenditures are properly justified and will produce demonstrable environmental improvements.

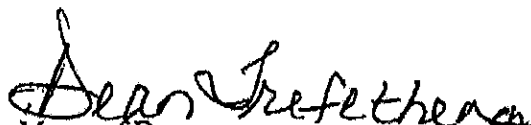
We understand that EPA has indicated that it has sufficient information to respond to our independent peer review request. In our view, that is the linchpin issue underlying local concerns. We ask that EPA provide a response on that request within the next two weeks, given that EPA Headquarters has been evaluating the science misconduct letter for over six weeks at

this point. We look forward to EPA's response and an opportunity to resolve our differences in an open scientific forum rather than through legal process.

Sincerely,

Handwritten signature of Eric Spain in cursive.

Mayor of Portsmouth

Handwritten signature of Sean Trefethen in cursive.

Mayor of Dover

cc. Congressman Guinta  
Senator Ayotte  
Senator Shaheen





**Richie McFarland  
Children's Center**

Building Brighter Futures for Children  
and their Families

July 25, 2012

Board of Selectmen  
Town of Exeter  
Attn: Russell Dean, Town Manager  
10 Front Street  
Exeter, NH 03833

Dear Board of Selectmen,

Our sincerest thanks to you and the residents of Exeter for \$1575.00 in social service funding for the programs offered by the Richie McFarland Children's Center.

As we enter RMCC's 41<sup>st</sup> year, we are reminded of the thousands of families whose lives have been touched by this agency. We also can't help but think of the thousands of friends like you, who helped to make it all possible.

Sincerely,

*Peggy Small-Porter*

*Thank you!*

Peggy Small-Porter  
Executive Director

Big Brothers Big Sisters



**Big Brothers Big Sisters  
of the Greater Seacoast**  
4 Greenleaf Woods #201  
Portsmouth, NH 03801

**T 603 430 1140  
F 603 430 7760**

[www.bbbsgs.org](http://www.bbbsgs.org)

July 25, 2012

Mr. Russell Dean, Town Manager  
Town Of Exeter  
10 Front St  
Exeter, NH 03833-2792

Dear Mr. Dean,


The power of your recent \$2,250.00 donation reaches far beyond what you might imagine. Generous contributions such as yours not only positively impact the lives of our Seacoast's most vulnerable youth but have the power to change the lives of our incredible volunteers as well. A Big Brothers Big Sisters mentoring relationship is mutually rewarding for the key participants and so rewarding for our towns, our schools and our larger Seacoast community.

One of our volunteer Big Brothers shared with us, "I have been involved with BBBS as a Big for almost 4 years. It has been one of the most rewarding experiences of my life. I initially joined BBBS as a Big because I wanted to give back, as growing up I felt very fortunate in having 4 siblings that I grew up with and realized that many children today do not have that same luxury. Being a single person, and having free time on my hands, I felt that it was a very worthwhile endeavor to volunteer and be a Big Brother. It was one of the best decisions I have ever made. Not only do I get to make a positive impact on a young person's life, but I truly underestimated the impact that they would have on my own. I feel fortunate in all that has happened to me because of BBBS."

Through our regular check-ins with our volunteers, youth participants and their parents or guardians we continue to validate that our tried-and-true mentoring model IS working. Children are exhibiting behaviors that show increased levels of confidence, improved ability to express themselves, improved academic performance, improved sense of future and improved ability to avoid delinquency.

We are proud of the difference that we have made in the lives of hundreds of at-risk youth and hope that you share in this pride as a generous contributor. We look forward to maintaining communication with you and sharing the success stories of our local mentoring work.

With gratitude,

  
Jessie C. Dill  
Executive Director

*Thank you for your continued and generous investments in our vision that all children have success in life!*

Our Federal Tax ID number for your records is: 02-0348477.

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*EMERITUS*

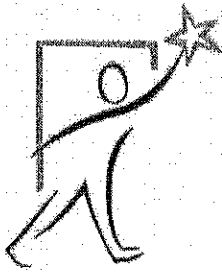
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*EXECUTIVE DIRECTOR*

Jessie C. Dill



## Seacoast Family Promise

"A Community Response to Homeless Families"

6 Emery Lane, PO Box 233, Stratham, NH 03885  
603-658-8448, fax 603-658-8447  
sihnnh@comcast.net - www.sfnh.org

July 26, 2012

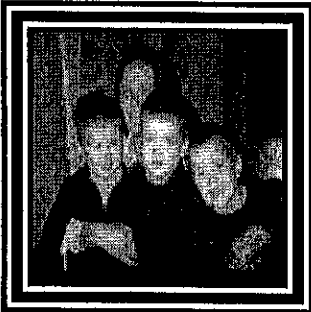


Town of Exeter  
Board of Selectmen  
10 Front Street  
Exeter, NH 03833

Dear Members of the Board,

We cannot thank you enough for your donation of \$500 to Seacoast Family Promise on July 20, 2012.

*Seacoast Family Promise's mission is to empower families experiencing homelessness to achieve lasting self-sufficiency.*



When you support Seacoast Family Promise you become part of a family that reaches across the region. Your donation directly impacts each family in our program, helping Seacoast Family Promise provide them with safe housing, warm and secure family sleeping quarters, and individualized family services so that they can begin the work necessary to regain self-sufficiency and return to the community as engaged members.

Please include a tour of our Day Center in your 2012 plans. Stop by or call me personally to schedule an appointment to see just what your investment supports.

Warm personal regards,

A handwritten signature in cursive script that reads "Pati Frew-Waters".

Pati Frew-Waters  
Executive Director

A handwritten note in cursive script that reads "Thank you".





**Rockingham Nutrition  
& Meals On Wheels  
Program**

106 North Road  
Brentwood, NH 03833  
(603) 679-2201  
Fax (603) 679-2206  
Admin@RNMOW.org  
www.RockinghamMealsOnWheels.org

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**Executive Director**  
Debra Perou



Meals and Services  
for the  
Elderly

July 19, 2012

Office of the Selectmen  
Town of Exeter  
10 Front Street  
Exeter, NH 03833

Dear Selectmen,

The Rockingham Nutrition and Meals On Wheels Program is grateful to the town of Exeter for its support. We wish to thank you for any payment(s) we have already received towards our approved funding of \$7,800 for the current year.

We are most appreciative of Exeter's help to meet the needs of your elderly and handicapped residents, and will continue to do our best to provide the meals and services they need.

Sincerely,

Jaymie Chagnon  
Assitant Director

## Rockingham Nutrition and Meals on Wheels Program's Senior Shuttle

### *Report for Quarter Jan-March, 2012 & Quarter April-June, 2012*

The Senior Shuttle is a van owned and operated by RNMOW that is on the road Monday through Friday from around 8:00 a.m. to 4:00 pm. Although we've been operating almost 40 hours a week for several years now, our operator Mr. David Robertson, is a wonder at working to accommodate schedules, and squeezed in almost 7% more rides than in the last half year.

---

#### *Number of Clients Served*

# of Exeter Riders: 73 clients

<i>Number of Units:</i>	First Quarter	Second Quarter	Total
<u>Days Provided</u>	60 days	65 days	125 days
<u>Miles provided</u>	6675 miles	6950 miles	13,625 miles
<u>Rides provided</u>	1571 rides	1716 rides	3287 rides
<u>Average rides per day</u>	26	26	26 rides per day
<u>Average miles per day</u>	111	107	109 miles per day

*Ride Destination:* About half of the rides were to and from the Exeter Senior Center, with the next highest destination being shopping trips, followed by medical and sundry other excursions tying for third.

*Who is Riding:* In our last survey, 84.2% were between the ages of 70 and 100, with 10.5% of the riders being 90 years of age & older. 63% of the riders lived alone. We have frequent & occasional riders, with 17% riding daily, 39% riding several times per week, & 28% several times a month.

*Client Satisfaction:* 90% rated the transportation service excellent, and the remaining 10% were right behind rating the service very good. We continue to receive regular positive feedback on our van driver and the service he is providing the local seniors. Just last week an Exeter senior remarked, "Because of him and this van service, I could give up my car."

We appreciate what Town support for transportation allows us to provide for the seniors of Exeter.

Sincerely,  
*Debra Perou*, Executive Director.

# Families First

*support for families...health care for all*

July 27, 2012

Selectmen  
Town of Exeter  
10 Front Street  
Exeter, NH 03833

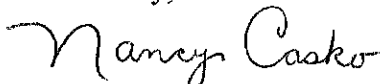
Dear Selectmen:

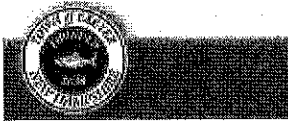
We recently received your check in the amount of \$750.

All of us at Families First are grateful for the support of the Town of Exeter.

Thank you.

Sincerely,

  
Nancy Casko  
Administrative Assistant



Russ Dean <rdean@town.exeter.nh.us>

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## Exeter Ferry Company

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Keith Noyes <keith.noyes@comcast.net>

Wed, Jul 11, 2012 at 7:45 PM

Reply-To: Keith Noyes <keith.noyes@comcast.net>

To: Matt Quandt <mjquandt@comcast.net>, Julie Gilman <juliedgilman@comcast.net>, Frank Ferraro <fferraro2010@gmail.com>, Don Clement <dclement43@comcast.net>, Dan Chartrand <dchartra@rcn.com>

Cc: Russ Dean <rdean@town.exeter.nh.us>

Dear Selectmen:

Thank you for considering my request to use the town dock for operating my proposed tour boat business.

From the start I wanted to do everything right to start a business venture that would be good for the community and a fun entrepreneurship opportunity for me. I believe I sufficiently addressed all the valid questions and concerns that were voiced. I feel I gave it my best shot.

However, I have concluded that pursuing use of the town dock for this purpose would be continually fraught with unwarranted opposition and negativity by a few of the "meddlesome" minority. This is not the way I wanted to start or run my business.

Therefore, I regretfully request that the Board of Selectmen indefinitely table my request.

I can assure selectwoman Gilman and selectmen Quandt, Ferraro, and Chartrand (of whom I greatly appreciate your open-mindedness about my idea) as well as the many residents that supported my request and were excited about this venture that I will be exploring other options that may enable me to move forward with the "Exeter Ferry Company" historic and eco tours of the Squamscott River and Great Bay Estuary.

Sincerely,

Keith Noyes

To: Board of Selectmen

From: Russ Dean, Town Manager

RE: Patriot Alumni Game sponsored by Parks/Recreation Department, August 11<sup>th</sup>.

The Parks/Recreation Department will be present to explain the process of ticket sales and donations related to the Patriots Alumni game scheduled on August 11, 2012 at Monday night's meeting.





Suggested donations are \$10 per ticket. Checks are made to Parks/Recreation. To date, \$4500 has been brought in for the event. Parks/Recreation gets 20% (to date \$900), and 80% goes to the company putting on the event (essentially the marketing group that provides for the event and the players, etc.)





It should be noted these are standard requirements of the group which contracts to produce the Patriots Alumni games.




**BENEFIT FLAG FOOTBALL GAME**

**Exeter Parks &  
Recreation Department**

  **ALL-STARS**  

  **Vs.**  

**EXETER PARKS  
& RECREATION** **EXETER PARKS  
& RECREATION**



**Alumni**

**Exeter High School  
Saturday, 7:00 p.m.  
August 11, 2012**

Proceeds Benefit the Exeter Parks & Recreation Department

Script

Exeter Parks and Recreation Dept  
 32 Court St  
 Exeter NH 03833  
 Contact:Greg Bisson

Professional Solicitor:ECMG  
 26 Thomas Dr  
 Westbrook Me 04092  
 campaign office 733-0058

Hello Mr/Mrs this is calling on behalf of Exeter Parks and Recreation Department, how are you today sir/ma'am? The reason for the call we are reaching out to raise support special events, summer programs and many other programs that we support throughout the year. Residential support is vital for our success. We are asking everyone here on St/Rd/Ave today if they can help with a residential sponsorship. As a special way of saying thanks we are giving complimentary tickets to see the New England Patriots Alumni team play flag football against our Exeter All-Stars here at the High School on Saturday August 11 at 7pm. Even if you cannot attend your support would be much appreciated. More importantly you will be helping the many programs Exeter Parks and Recreation Department put on for the children. Our sponsorships suggested are Platinum 100.00, Gold 75.00, Silver 55.00, and Bronze for 35.00. Mr/Mrs which one do you think you could help with?

(If yes) Do you have a piece of paper handy? Checks should be made payable to Exeter Parks and Recreation Dept. On the back of the check please write "for deposit only". Tomorrow between 9-5pm we will have our representative drop off your receipt and tickets. If for any reason you will not be in please leave your check in an envelope and tape it to the front door. Is the front door a good spot?

On behalf of myself and Exeter Parks and Recreation we thank you for your support!

EXETER HIGH SCHOOL IS LOCATED AT 1 BLUEHAWK DRIVE

EXETER PARKS AND RECREATION DEPT

20%



Russ Dean <rdean@town.exeter.nh.us>

---

## Re: Donation funds

---

sandra driscoll <chiefly@comcast.net>

Fri, Aug 3, 2012 at 11:37 AM

To: mjquandt@comcast.net, dchartra@rcn.com, dclement43@comcast.net, fferraro2010@gmail.com, "Julie D. Gilman" <juliedgilman@comcast.net>

Cc: rdean@town.exeter.nh.us

Good Morning,

Thank you for initiating further action regarding the solicitation of funds for the recreation department.

The Exeter Newsletter ran an item on the football event in today's paper and provided an additional point of contact for East Coast Marketing Group (ECMG). One visit to their website validates ECMG is a fundraising group. Clearly the NH Statutes at Chapter 35-B:2(II)\* permits towns to raise revenue by fees and charges for recreation park services and facilities. The money raised at the advertised football event however is a ticket "donation" not a fee or charge.

How, I wonder, is it that the Town's Recreation Department is authorized to raise revenue by "fundraising" a.k.a donations? And, are general taxation (taxpayer) funds paying for the marketing services for this fundraising activity?

Thank you for considering our concerns.

Sandra Driscoll  
16 Cottage Street

**\*New Hampshire Statutes, Title III Chapter "35-B:2 Tax and Appropriations.** – Any town, city, county, village district or school district may raise annually revenues and appropriate funds for the purpose described in RSA 35-B:1 and also may raise such sums when the land upon which such activities are conducted belongs to or is leased by the state. The money necessary to pay for lands or other recreation purposes described in RSA 35-B:1 may be raised and appropriated by the board or body having control over the finances of a political subdivision by the following methods:

I. General taxation, as other taxes are raised and levied or by the issuance of temporary loan bonds or by the issuance of permanent bonds to the extent, and with the authority authorized by existing law.

II. By fees and charges for recreation park services and facilities. All revenue from such fees and charges may be deposited into a special fund established for such purposes pursuant to RSA 31:95-c, or into a recreation revolving fund established by vote of the legislative body. If such a recreation revolving fund is created, the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the political subdivision's general surplus. The treasurer of the political subdivision shall have custody of all moneys in such fund, and shall pay out the same only upon order of the recreation or park commission, or other board or body designated by the local legislative body at the time the fund is created. Such funds may be expended only for the purposes of this chapter, and no expenditure shall be made in such a way as to require the expenditure of, or create a liability upon, other town funds which have not been appropriated to that purpose."

*Retrieved on 8/3/2012 from [www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-III.htm](http://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-III.htm)*

On Aug 1, 2012, at 9:28 PM, sandra driscoll wrote:

Dear Board of Selectman and Town Manager:

This evening I received a telephone call from an individual requesting money for the Exeter Parks and Recreation Department. The caller asked for me by name although the caller ID reflected private caller. The female caller went on to say the recreation department needed help and they would accept money on the phone - in exchange I could receive as many tickets to this Patriot Alumni game as I wanted - the tickets were free.

Needless to say my first thought was the call was a scam artist. The caller however provided a number for me to call ( 773-6151) if I had questions. Certainly, as a resident, I would have heard of this solicitation activity from the Board of Selectman or Town Manager at a town meeting. Perhaps I had missed that part of the meeting so I researched to town website for more information on the solicitation and found none.

My second thought was if this call was not a hoax then my town records were somehow accessed for a solicitation for money. No calls about the water quality. No calls about redirecting unspent taxpayer funds for raises for the non-union staff. No calls about redirecting the receptionist. No calls about... well you have the premise. A telephone call at 7PM for money for an entertainment event goes way beyond the line of acceptability.

Considering the options, I do hope the call was a hoax and our Exeter Police Department is well into the investigation.

Respectfully,

Sandra Driscoll  
16 Cottage Street