

DRAFT MINUTES

BOARD OF SELECTMEN MEETING

MINUTES

November 28, 2011

1. Call Meeting to Order

Chairman Robert Aldrich convened the Board at 7:00 pm in the Nowak Room of the Town Office Building. Other members of the board present were: Town Manger Russ Dean, Selectman Don Clement, Selectwoman Julie Gilman, and Selectman Frank Ferraro. Absent was Selectman Matt Quandt.

2. Public Comment - None

3. Minutes & Proclamations

A. Regular Meetings

Selectman Don Clement indicates a correction page 2, paragraph 2, the gentleman's name was Renz, the name was confused.

Mr. Clement moved to change the minutes to reflect the corrected name. Ms. Gilman seconded. Vote: Unanimous.

4. Appointments - HDC, EDC

Selectwoman Julie Gilman Moves to Appoint Len Benjamin to the HDC. The term shall expire April 30, 2012. Mr. Dean seconded. Vote: Unanimous.

Selectwoman Julie Gilman Moves to Appoint Len Benjamin to the EDC. The term shall expire April 30, 2012. Mr. Clement seconded. Vote: Unanimous.

5. Department Reports - None

6. Discussion/Action Items

A. New Business

1. Groundwater Treatment Plant Location Discussion.

Chairman Aldrich indicates there is no need for a full presentation? He reminds the Board the discussion is relating to where we are at between 2 sites of Gilman Park and Lary Lane. Town Manager, Russ Dean indicates that this item was discussed October 21. He reminds the board that the previous discussion gave breakdowns on the two differences between Lary Lane and Gilman Park as possible sites for the proposed Groundwater Treatment Facility. Due diligence was done and a final recommendation was requested for this evening. Chairman Aldrich invites public comment prior to a vote.

Colleen St. Onge, of 43 Bell Avenue comes forward. She expresses her approval of the Groundwater Treatment Facility indicating it is a great project. She expresses concern over putting it in the middle of a park in the center of a neighborhood. She believes this is not feasible. She asks of the Board, 'Would you want to see the chemicals delivered on a daily basis?' She said that she does not wish to have our neighbors and children seeing this. She feels Larry Lane is a suitable site and asks the Board to please take this into consideration.

Barb Smith, of 23 Bell Avenue comes forward. Ms. Smith is opposed to Gilman park location. She says it

DRAFT MINUTES

a beautiful area, and that residents take great pride in the area and keeping it clean and respectable. She points out that the Board should consider what this decision would mean for the children in the area. Larry Lane as a site can be considered a self sustaining “green” facility and it would not be leaving the area’s children with a disposal bill. She raises the point that a green facility would be eligible for state or federal funding. She appeals to the Board to choose the Larry Lane location.

Lori Gouple, of 37 Bell Avenue comes forward. Ms. Gouple advises the Board that in the future she will be looking out at the new treatment center instead of the park from her kitchen table. She questions the length and duration of the construction. Ms. Gouple expresses concern that the wildlife that currently frequents the Gilman Park area will be exposed and provided with nowhere else to travel. Ms. Gouple indicates she’s lived on Bell Avenue for twenty-seven years, she has raised children there. She would like to have the ability to utilize the park with her grandchildren in the future. She reminds the Board that there is one residential home on Larry Lane. Ms. Gouple reminds the Board that Larry Lane is a significantly more quiet neighborhood as opposed to a family neighborhood. The Town of Exeter has not designated that they even own the park yet. Construction vehicles and chemical trucks are a major concern. She questions what will happen to her extended front yard? Ms. Gouple recognizes this decision will impact more than just this neighborhood; it will impact the entire town. She appeals to the Board that the Gilman Park is not a place for a chemical treatment area.

Chairman Aldrich raises the issue of cost. He indicates the construction costs will be fairly close as to the two locations. He references a memo provided on October 21 from Jennifer Perry, Director of Exeter Public Works. Chairman Aldrich indicates the memo breaks down the costs associated with construction in gross terms. Construction at Gilman Park is estimated to cost 6.2 million dollars. If the construction were done at Larry Lane, the estimated cost of construction would be 6.3 million dollars. Chairman Aldrich brings forward the significant differences in the two locations. He raises the cost associated with piping and improvements for the Larry Lane location is estimated at \$125,000. This is the basic cost that sets the two sites apart.

Jennifer Perry, Public Works Director comes forward. She indicates these costs are preliminary and not design level costs. She indicates that some of the final site decisions need resolution and the Board must factor in things such as efficiency and present life infrastructure changes. There will need to be water line extensions to Larry Lane. She indicates the road is very narrow with no sub base. The road itself will need repairs as part of the underlying costs. She indicates that as far as federal funding, in concept, we are approved for 20% debt forgiveness and no additional federal funds are available. Ms. Perry indicates this would be the case for either site, and neither is the preferred site.

Mr. Ferraro indicates that he saw a presentation that estimates there will be 1-2 truck deliveries of chemicals per month. He asks Ms. Perry to confirm. Ms. Perry indicates that’s a reasonable assessment. Chemical storage is on site it’s anticipated that chemicals will need to be delivered one time per month, and it’s likely there would be visitation by operators one time per day. She indicates the handling of solids in a final design is an issue that needs resolution. She advises it can be handled in various ways. One option is to discharge to the public sewer system currently in place. Another option is to discharge via truck and have the waste delivered to treatment facility. She indicates the space is not adequate at the Gilman Park site for discharge to the public sewer system. It would need to be collected and trucked to the treatment facility.

DRAFT MINUTES

Selectman Clement raises the question of actual construction time at either site. Ms. Perry indicates the rough schedule is presumably a 12-15 month construction period. This would include the actual on site construction, start to finish.

Mr. Ferraro comes forward with a power point presentation with new and additional cost information tables. The samples of cost comparisons are reviewed and he indicates that different conclusions can be drawn from the samples. He poses the thought that this presentation is to show additional cost information and comparison of site cost breakdowns. The numbers in the document are May, 2011 from Weston & Sampson. The actual table was shown as an overhead projection. The tables he presents provide line by line comparison of costs between the two sites. The presentation indicates the difference between the sites will be primarily the construction of infiltration basins. Larry Lane seems to be less than economically practical to discharge the backwash to the public sewer system currently in place. Two distinct options were laid out within the presentation. The first including a backwash recycling handling system. The seconding is exclusive of the recycling handling system, as there is public sewer close by for backwash. The costs for greensand are exactly the same for both locations. These costs were included in the basic treatment plant. At Lary Lane the tank must be put in. What is not included in October report is the cost of infiltration ponds and groundwater discharge permit. The permit is approximately \$40,000. Weston & Sampson report the amount of water discharged is unknown at this time and could be up to 100,000 gallon of water. The cost to build them at the park is approximately \$900,000 less than Lary Lane. Additional water lines and well improvements are required. The total cost of construction utilizing these new figures comes to approximately \$5.5 million for Gilman and \$6.5 for Lary Lane. The difference is \$100,000 for ponds and \$40,000 for permits. The actual difference in cost of Lary over Gilman is \$1,028,500. The assumption is that it's more expensive to build Lary then at Gilman. Selectman Clement raises a question. He asks Mr. Ferraro to summarize how the cost last year on the warrant was \$6.35 million but based on the new numbers introduced, and your projected cost you can save \$500,000, how is this possible. Mr. Ferraro indicates the savings can be warranted by using sewer instead of new infiltration ponds.

Ms. Perry returns. She appreciates Mr. Ferraro's detailed analysis and due diligence. Capital construction costs are not what the discharge costs could be, this could be an annual cost. Current rates are \$430,000-\$440,000 for sewer discharge. Future changes could come and actual costs are unclear. Her feeling is it's a little bit preliminary to look at just capital costs. What we really need to be doing is life cycle costs over a 20-30 year projection. The costs are fairly close and there are so many options no final decision has been made on. Chairman Aldrich raises the point of "green facility." He poses the question, is Lary lane is it more of a green facility. Ms. Perry responds by saying minimizing discharge to the sewer would help us define it more as a 'green facility' in this industry. Each site has green spectrums. She indicates there is a need to minimize appearance and sound attenuation. These things would be at both sites. A green type of design can add to the cost. We were only preliminarily looking at efforts to reduce cost for heating and pumping costs. Chairman Aldrich interjects asking if infiltration ponds at Lary are not practical at Gilman park? Ms. Perry responds indicating the site does not allow for additional space that would be needed. The footprint is tight. Having open ponds at a recreational facility not recommended. Mr. Ferraro interjects and clarifies that they are not lined ponds they re infiltration beds. It percolates into ground water. Water that is pumped out contains arsenic and manganese. He would hesitate to say its greener to discharge to ground water. He points out that environmental groups would disagree. It's not greener to infiltrate. The way to do it is life cycle. The operating costs are different at each site. The adjacent streets to Gilman have been examined to ensure the pressure can be handled. The evaluations have been done at

DRAFT MINUTES

Gilman Park but not at Lary Lane. Comparison must be capital costs between these two. Other factors can weigh in; board must understand capital costs are about \$1,000,000 difference.

Mr. Clement seeks clarification on adding the backwash tank and sand filters as the biggest cost difference and wondered if this has to be done at Gilman Park. Mr. Ferraro responds with a no, and clarifies it's pushed to the sewer. It can't be put to the sewer at Lary Lane. Ms. Perry indicates it could be alternative for trucking offsite. At Lary there would need to be 1,000 ft of sewer installed. He wonders if traffic analysis will be done, or has been done to see if its' reasonable to accommodate? Ms. Perry responds by saying, at this point no analysis for traffic impact has been established. Ms Perry indicates in discussions with Weston and Sampson, the piping needs were reviewed. New improvements will be needed.

Coleen St. Onge, of 43 Bell Ave. comes forward. She raises the question regarding the current pump house, and asked if it is considered the municipal well. She also asked whether or not the Gilman Park deed has been transferred over to the town yet? On one of the deeds, line items J, a municipal well that community water system shall be primarily operated by the town of Exeter. She further asked if the Town is still working with Stratham? Chairman Aldrich responds utilizing the keyword as 'primarily' Mr. Dean added that the Stratham talks are preliminary and that any agreement that would arise with Stratham would be in the future, and these items are exclusive of one another. Ms. St. Onge's feeling is maybe it should not be on the warrant article if due diligence is not done. Now the site is Gilman, last month Lary Lane was the suitable site. There are now piping issues. Mr. Clement reminds her this is the first time this Board has seen the numbers that Mr. Ferraro presented, therefore nobody has been able to substantiate them. Mr. Clement reminds the public and board that it is well known and stated a month ago that his preference was that he is opposed to the Gilman Park site, even if these numbers are correct. He is still opposed to a water treatment facility going into a town park or neighborhood.

Barb Smith, 23 Bell Avenue comes forward. She expresses uncertainty on a need to rush into a decision. She hopes when the time comes, the Board make the decision they could accept if they lived in this neighborhood.

Chairman Aldrich reminds the public that residents of Bell and Crawford are going to see impact regardless of location. They may not have to look at a building but the construction will impact them regardless. Public works has gone above and beyond without going for design. Mr. Aldrich is concerned that the Town has approved projects before, paid for the first part and then it never gets approved and sits. We now have preliminary design work with solid info. He is comfortable and confident in what they've done. The thought is that we could move forward at either location. Mr. Aldrich asked if the Board feels comfortable that they have a solid number. Ms. Perry indicates either site is feasible and can be effective. The dollar figure is there. Mr. Ferraro agrees. Mr. Aldrich is not weighing in on preference but wanted to let the board/public know the site can be built at Gilman and operated for \$1,000,000 less. Chairman Aldrich calls for Board sentiment on location and a consensus. Mr. Dean indicates the warrant for 2011 was written for either location.

Jeff St. Onge, of 43 Bell Ave comes forward. He indicates he's lived his entire life on Bell Avenue. And that the Board has heard a lot of people who are against Gilman, but wondered is there have been any residents that have come forward against Lary Lane site? Chairman Aldrich responds there are none. Mr. Ferraro questions if the tax payers would they rather pay another \$1,000,000 for Lary Lane. Mr. Clement requests time to review the report. Chairman Aldrich reminds the Board that the dollar number is

DRAFT MINUTES

important to the warrant article but the debate must wait until we've chosen a location. We need to be focused on one location or the other.

Claire Desrosier, of 22 Crawford Ave, came forward to say that many more than the few who will be impacted will benefit from a million dollar decision. She asked what will happen to the value of their property? Allowing the Lary Lane will allow the entire town to benefit in the same way, but the residents will not lose property value and everyone benefits from it. Chairman Aldrich asked the Board, if they are at least in favor of putting it on the ballot. Mr. Ferraro, Ms. Gilman and Mr. Clement agree they are in favor of putting it on the ballot. Chairman Aldrich raises the question of location. Mr. Ferraro reminds the Board the decision can't be made absent the dollar value. The capital costs must be considered. Mr. Ferraro said that the Board owed him the courtesy of having it reviewed and determine if it's valid or not. A debate between the costs ensues. Mr. Clement indicates the courtesy should be to DPW to review the numbers and evaluate.

Renee O'Barton comes forward. He raises the question if Mr. Ferraro is correct, what is the impact of that \$1,000,000 to the rate? Mr. Dean indicates that there is no way to determine rates without evaluation and assessment. A discussion ensues over the total obligation and the translation to tax payers. It's determined the increase in water rates will be \$52-\$57 per year.

Mr. Clement moves to put the water treatment article on the ballot this year and have it sited at Lary Lane. Seconded by Ms. Gilman. In Favor Ms. Gilman and Mr. Clement. Opposed Mr. Ferraro. The Vote is approved.

2. Review 2012 Water/Sewer CIP Project Requests

Jennifer Perry, Director of Public Works comes forward. She brings requests for a water treatment heating replacement along with building G6 and building G7 roof replacements. She also brings forward a request for waste water treatment facilities plan H2. Mr. Clement advises the Board the first two items were budget items two weeks ago at the Budget Committee Meeting, along with roof replacement. Chairman Aldrich believes these are still capital projects. Ms. Perry feels this capital has been outlaid in budget. She can provide an update on the January 1, 2012. Ms. Perry indicates the Heating replacement (g6) original proposal was for \$120,000. Under emergency procurement, the boilers have been replaced, leaving a \$70,000 deficit. At budget meeting, the Committee recommended \$50,000 for this project. Chairman Aldrich raises the question of the project at \$50,000 being significantly different than at the proposed \$70,000. Ms. Perry indicates that without the \$20,000 it is likely that next year these repairs and improvements will need to be revisited. G7 the roof replacement. Request for \$106,150 for roof replacement on sedimentation. \$65,000 for slate roof repairs on historic building at site. Budget Committee recommended postponing slate improvements. The Budget Committee is prepared to move forward with \$41,150 for flat rubber roofs only. The facility plan (waste water) H2, the department for 2012 fiscal 375K for facilities plan to lead the design effort and evaluation for alternative for treatment at the plant. Permit requirements for nitrogen are not being met. We need to look at other facilities. This plan can be varied. The gross capital costs are estimated from \$36 -\$50,000,000. An evaluation of this cost is reasonable. Chairman Aldrich requests clarification for the listed \$50,000 in other costs? Ms. Perry indicates these are the legal costs for the permit. Chairman Aldrich requests clarification that the remainder is developing the plan getting permits and designing for construction. Ms. Perry informs the Board that this will not get the project through final design. Typically you'd be looking at costs for final design at 5-10%, that would be included in construction. She indicates that \$900,000 will probably not

DRAFT MINUTES

get us by for final design. Chairman Aldrich expresses concern that they are still looking at \$50,000,000 plus as final cost for that plant. What are the wild cards still at play. Ms. Perry indicates that the number was NHDES developed. This would be a completely new facility. The dept has prepared other numbers working with AER an economist, the numbers could be slightly lower. The new range is \$36-\$50,000,000. The variation is huge. We could only go with what was available at that time. DES would have had a higher number. There has not been an alternative analysis. Chairman Aldrich feels that \$325,000 is a lot of money for a plan. Over 3 years at developing a plan, what do we get? Ms Perry indicates a facility plan means a lot of things. What we need to do is evaluate the site and what we can accommodate. We need to be still working on ionide and future design capacity. We need to look at several types of designs. Not just the current contaminates of the day. Once we identify reasonable alternatives. We would pilot more detailed analysis for treatment chemicals energy pumping. This money buys preliminary info. Chairman Aldrich inquires what type of firm would do this, would the firm be dedicated full time? Ms. Perry indicates a typical project for most environmental civil consulting engineering firms. There is a lot of interest . Chairman Aldrich inquires if this plan is required for the issuance of a permit? Ms. Perry advises it is necessary. Being a discharger of wastewater, we have to have permits above board. It's necessary to move forward. We have had discussions with EPA we did commit to 8mg per liter and can not be met by our current plan. Chairman Aldrich asks the Board how is it proposed to be funded. Mr. Dean indicates it needs to be warrant or put in the budget. Mr. Ferraro seeks clarification. Is the \$325,000 for the next year, is that a distinct scope of work or project that begins and ends? Or is this a \$900 - \$1,000,000 project stretched over 3 years? Ms. Perry indicates that's a critical decision to be made in the near future. In ease, we only go with the first years costs but try to get a consultant on board to get us all the way to final design. Time and money spent recreating and getting another consultant on board could prove difficult. Mr. Ferraro expresses his concern at a risk. A warrant article over 3 years to not get it ½ way through. Getting 1 warrant seems reasonable even if it overlaps calendar years. Chairman Aldrich asks Mr. Dean if the warrant could be for full amount and pay for it as we use it? Mr. Dean indicates it's a bond issue. Just adding another to the list. We would borrow the money and pay it off. We would only have to start paying on what we've actually drawn in stages. It's possible that could change the payback and the schedule. Prevailing wisdom is to get one interest rate with a set schedule for repayment. Chairman Aldrich raises the question of commitment and locking into a calendar year. He poses to Mr. Dean, Can we get and rfp for \$975,000? Mr. Dean answers that it would be contingent on town appropriated money. You have no idea what your phase 2 cost might be. Bond counsel fees could need to be paid a second time. Mr. Clement advises the Board that putting it in the budget doesn't mean it'll pass. Mr. Ferraro questions the line item for \$50,000 in legal fees the budget includes a \$20,000 line item for legal for the permit. Ms. Perry responds that this depends on the town course of action. The options for actions needs to be evaluated. The legal fees are contingent on which direction the Board goes. The initial are for more than just a permit. It's anything that can come up. The \$50,000 was designated just for the permit and anything related to the permit.

Mr. Clement questions the long term effects of a draft permit. The permit is draft from EPA. 3pts p mlg as part of the coalition communities are proposing 8 parts per mg. We wont know until next year what the action on the final permit will be. It's well known that what they decide someone will appeal. If epa insists on 3, appeals will be filed. If EPA goes with 8 conservation law foundation will file appeal. Are we committing this money now without knowing what the final plant requirements are going to be? Should we wait 1 year? Chairman Aldrich intervenes adding the question as to what work can we get done without the final permit. Ms. Perry indicates that is unknown. We won't know until after the 1st of the year. We've been told to expect the final permit very soon. The EPA has been met with in trying to negotiate a permit that makes sense for the town and address water quality issues. The design probably doesn't matter if we

DRAFT MINUTES

have a permit level of 8 or 3. The flexibility for either will be designed into the facility. Phase construction is ideal. These things will be reviewed. The need to start asap is the concern, not the level at which we are operating. A discharge permit number doesn't drive the design of the facility. You design it well below the permit number for flexibility. H3, The main sewer pump station requires main repair. DPW has proposed \$55,000 in 2012 and \$240,000 in 2013. Mike Jeffers Water and Sewer Engineer has numbers and is prepared to speak in detail.

Mike Jeffers comes forward. The subtotal is \$55,500 to put in valve in the 1965 pump station. Instead of a shut off valve outside the building, we will eliminate it. As we pull the pumps for repairs, the damage could back feed and cause devastation. The valve needs to be put in. the \$12,500 is separate issue. The station in 1965 runs to the lagoon in the DPW complex, the force main was changed at the high point. They ended up eliminating 6,500 gallons of capacity. The pipes were changed in 1992. The suggestion is a detailed analysis and surveying including equipment. It needs to be accurately graphed. Analysis of the pipes needs to be performed. Survey needs to be done carefully and detailed. We need to know how much capacity we have or have not lost. Chairman Aldrich seeks clarification is \$241,000 complete including construction to fix the problem? Mr. Jeffers indicates it is. Mr. Clement seeks clarification on the piping, is it at DPW? Mr. Jeffers indicates that it is.

Chairman Aldrich calls for thoughts from the Board. Mr. Clement poses his thoughts that Capital projects are reviewed tomorrow night and Chairman Aldrich confirms. Mr. Clement indicates he would like to have more information from the upcoming review tomorrow night. Chairman Aldrich calls for any thoughts on the plan for the facility? Ms. Gilman feels it makes sense to just make it 1 budget item and Mr. Ferraro agrees. Chairman Aldrich feels it should be discussed after tomorrow night's review and Mr. Clement agrees. The budget process and communication has been cooperating. It makes sense to bring it up again after tomorrow's meeting.

3. Primex Agreements 2012

Mr. Dean reports that a change to Primex for the Town of Exeter's Workers comp / unemployment, the town stands to save \$80,000 moving from LGC to Primex. This would include a 7% escalator. At that percentage we would be well within the spec of what we're paying now. The town would designate Primex as its agent for workers comp plans. All 3 resolutions must be read at this meeting. Mr. Clement questions if the language was similar regarding a cap on the contribution? Mr. Dean reports the cap LGC was 9% this is a max of 7% for property, 8% on workers comp. Chairman Aldrich seeks specific calculations on overall cost. Is it less? Mr. Dean indicates it is \$80,000 less for the 2012 and if you escalate, it's still less than what we're paying in 2011. There was a time Primex handled all of this in the past. The rates escalated and LGC undercut them. Now they're back at making more aggressive quotes and they've dropped their insurance products. The resolutions must be read.

Chairman Aldrich reads resolution # 1.

Ms. Gilman moves to approve this resolution. Seconded by Mr. Ferraro. Vote is unanimous.

Chairman Aldrich reads resolution # 2

Mr. Ferraro moves to approve this resolution. Seconded by Ms. Gilman. Vote is unanimous.

Chairman Aldrich reads resolution #3

Ms. Gilman moves to approve this resolution. Seconded by Mr. Ferraro. Vote is unanimous.

DRAFT MINUTES

Ms. Gilman moves to authorize Mr. Dean to sign as the power of attorney for records related to the Primex Agreement. Mr. Ferraro Seconds. Vote is unanimous

4. Rinny Lane Acceptance as Public Way

Mr. Dean advises the DPW that their procedure indicates they can recommend the acceptance for public way. The recommendation is it is up to standard and is ready to go and it only needs a vote from the board.

Leo Skip Manseau, a member of Compadres LLS., Property Developer comes forward. He indicates there is no public water or sewer there at all. The criteria asked of him have been met. The performance bond is in place.

Mr. Ferraro moves to accept Rinny Lane as a public way. Mr. Clement Seconds. Vote is unanimous.

B. Old Business

1. Public Safety Building Generator Update

Mr. Dean reports he has met with the fire chief and maintenance superintendent regarding a disconnect switch on the generator in the Public Safety Building. The disconnect switch is needed to isolate the auto transfer switch. It allows the power to be shut off without repercussion for the right of way. The electrical inspector determined it wasn't needed. It was brought to the attention of the town by the subcontractor. Normally, we call in the state electrical inspector. That individual came in and the switch is a worthwhile add to meet the goals of the project and program. Upon hearing that, we are prepared to say the change order is recommended. The code is subject to interpretation. Chairman Aldrich inquires with the cost difference is? Mr. Dean reports the increase of \$4,538.30 from the EMS fund. Mr. Ferraro inquires if the contractor was recommending the switch wouldn't it have been in his price? The arbitration of the state comes in and says you need the switch. How was the switch not included in the original price? Mr. Dean responds that the initial spec didn't call for it. The subcontractor alerted the town. The code may not require it, but we should accept a recommendation from the State Electrical Inspector. It was not included in the original specification for this job. A discussion ensues in reference to this complication being an error on the part of the Bowers, the contractor and is it now their responsibility? The code at the time of the inspection by the State of New Hampshire, the code did not call for the switch. The code has changed since the original spec was drawn up. The discussion continues with regard to responsibility. Chairman Aldrich raises the concern that the spec was altered after the fact. Somewhere along the line it was decided to spend more money than was authorized. Mr. Dean reports that the position of Bower, the contractor was the code didn't require it. The State Inspector indicated it was warranted but not a code issue.

Ms. Gilman moves to expend an additional \$4,538.30 for the cost of the additional repair. Mr. Clement Seconds. In favor are Ms. Gilman and Mr. Clement. Motion passes. Mr. Ferraro is opposed.

2. Pine Road Update

It is reported by Mr. Ferraro that this project started off with the town repaving Pine Road to a heavier durability grade of paving due to traffic originating in Brentwood. This board raised the issue of posting weight limits for this road. In June, we met with Brentwood selectmen and they agreed they would recommend to the planning board a safety study be done. July 21, 2012 the board met and it was decided a subsequent meeting was needed. On August 8, 2012, the meeting was held. The town of Brentwood issued

DRAFT MINUTES

an rpt. A contractor was chosen and on October 20, 2012, Mr. Ferraro received a proposal from the contractor. On October 21, 2011 questions were raised by Mr. Ferraro in regards to this proposal via email. On November 1, 2012 Mr. Ferraro sent another email to Brentwood Town Administration indicating the issue was on tonight's agenda and requesting the report. He received no response. Two weeks later, Mr. Ferraro wrote again indicating the same thing. He got response from the town administrator. The contract was signed November 3, 2012. Today at 3:45, Mr. Ferraro got an email from the contractor that the study was ongoing and they would share the results at completion. Mr. Ferraro feels this is a total lack of urgency on the behalf of the town of Brentwood. This is a significant safety issue. We stressed that this study needed to be done quickly. Proposals for short and long term solutions were necessary. We have been more than patient. We have taken no action to resolve it. Chairman Aldrich agrees. He adds that the cost is substantial to no avail. A discussion ensues in regards to the safety risk posed for residents of the Town of Exeter. At the intersection in question, large trucks from the businesses in Brentwood cannot make the turn into or off of the road without crossing the yellow line. The short term solutions are not there. Long term solutions are feasible. Chairman Aldrich indicates the decision has to be based on our needs and our safety issues. The Exeter residents' properties have been damaged by these trucks. We have made valiant efforts to resolve this issue with the town of Brentwood. Long term goal would be restructuring the intersection. Short term solutions are posting the road with and enforcing weight limits. It's discussed that the Town Of Exeter police will need to be involved and will need to devise a proper way to implement the action of posting the property as a No Thru Trucking and Weight Limit Area.

Mr. Ferraro moves to post weight limits on Pine Road, and adds No Thru Trucking. Chairman Aldrich adds the verbiage "and Add implementation to plan." Ms. Gilman seconds. Vote is unanimous.

7. Regular Business

A. Bid Openings - None

B. A/P and Payroll Manifest

Mr. Ferraro moves to approve a weekly payroll warrant for checks dated 11/23/2012 in the amount of \$161,301.47. Ms. Gilman Seconded. Vote Unanimous

Mr. Ferraro moves to approve an accounts payable warrant for checks dated 11/23/2012 in the amount of \$65,145.51. Mr. Dean seconded. Vote Unanimous

C. Budget Updates - None

D. Tax Abatements & Exemptions

Mr. Dean brings forward a proposal on behalf of Phillips Exeter Academy 76 Front Street. On May 7, 2010 a tax bill was issued to Virginia Carl for the tax period of 4/1/10 to 5/7/10. The balance of the first half was never paid. This waiver is proposed for interest only for 2010 taxes on the premise that they did not know they owed it. The property changed hands from Virginia Carl to the Academy. There was nothing on the new tax bill that was received by the Academy did not indicate any past due amount. Past due amounts are not generally noted on new tax bills that are issued. Mr. Dean reports that the current vendor is in the process of being approached to change the procedure. The abatement is for \$601.81 for

DRAFT MINUTES

interest on taxes. Mr. Dean reports that the tax bill for the first half would have gone to the owner on file as of 4/1. While the property deed may have changed hands officially, there was a lag in the time frame between the legal change and the records were updated. The bill would have gone to Virginia Carl, not the Academy.

Mr. Clement moves to approve the abatement in the amount of \$601.81. Ms. Gilman seconded. Vote unanimous.

E. Water/Sewer Abatements

Mr. Jeffers comes forward with proposals. 21 Spruce Street was a proposal for an investigation. No request was made for an abatement. No action is required.

Mr. Jeffers proposes an abatement for Exeter and Hampton Co-op. Mr. Clement indicates the Water and Sewer Commission approved this proposal. Mr. Jeffs indicates a grant too replace all the lines in the Co-Op was applied for recently. Mr. Ferraro reports that an agreement from many years ago stands true. This circumstance does not appear to be unpreventable leakage. The Town Policy is questioned. Mr. dean references an agreement but it is not identified as the same agreement that Mr. Ferraro is referencing. Mr. Ferraro feels the park knew the pipes were thin and going to go eventually. Mr. Dean advises the Board that no agreement is on file that indicates the right to request and Abatement is revoked. A discussion ensues regarding what precautionary measures have and should have been taken. Mr. Jeffers advises the Board that the Co-Op has corrected two of the identifiable issues. He also appeals to the Board that others have gotten Abatements for similar problems on a smaller scale.

Mr. Ferraro moves to deny an abatement for the Exeter and Hampton Co-Op. Ms. Gilman seconded. The vote is yay, Mr. Ferraro. Ms. Gilman and Mr. Clement vote nay. Motion denied.

Ms. Gilman moves to approve the abatement for 1 10 year time period for \$2619.10. Mr. Clement Seconded. In favor, Ms. Gilman and Mr. Clement. Opposed, Mr. Ferraro. Motion is approved.

Exeter River Landing.

Mr. Jeffers comes forward with a proposal for an abatement on behalf of Exeter River Landing. Mr. Jeffers reports that this abatement is for sewer only, not water. The Exeter River Landing charges the leaking water was not discharged to the sewer, it seeped into the ground. The water and sewer department did not want to grant this abatement. The cause for this was negligence on the part of the Exeter River Landing.

Mr. Ferraro moves to deny an abatement for the Exeter River Landing. Mr. Clement seconded. Vote unanimous.

Mr. Jeffers comes forward with a proposal for 151 Portsmouth Avenue. This is in regards to an in ground irrigation system. The timer on this system was set incorrectly, and they admit it's human error. This abatement is for sewer only, as the water did not reach the sewer it was discharged into the ground. The Water and Sewer Committee has tabled this abatement. Mr. Ferraro references the Selectman's Policy regarding unpreventable leakage. The system was installed this summer and the Dealership recognizes this as human error. Mr. Ferraro reminds the board that the policy is clear.

Ms. Gilman moves to approve an abatement for \$2,084.08 for 151 Portsmouth Avenue. No second is

DRAFT MINUTES

made. Motion is denied.

Mr. Clement moves to send this abatement to the Water and Sewer Committee for a recommendation. No second is made. Motion is denied.

Mr. Ferraro moves to grant the abatement for 42,084.08 on a one time premise. Seconded by Ms. Gilman. In favor, Mr. Ferraro and Ms. Gilman. Opposed, Mr. Clement. Motion is approved.

A discussion ensues regarding a sewer meter so that irrigation is only charged for water and not the sewer. Mr. Jeffers refers to a bypass meter. Mr. Ferraro reminds Mr. Jeffers that those types of meters, according to policy are only allowed for single family residences. Chairman Aldrich raises the point that this conversation can be added to the agenda for the next meeting.

F. Permits

A permit was requested at the corner of Franklin and Water Street for a structure on the sidewalk for an art studio. Chairman Aldrich requires more information and the permit request is tabled.

G. Town Manager's Report

Mr. Dean is pleased to report that Santa and the annual tree lighting will begin Thursday at 5pm. The festival of trees will be from 11am - 8pm also on Thursday. The Annual Holiday Parade will begin at Osram Sylvania at 5:30 pm on Saturday and will be the 54th annual parade. A formal invitation to the selectman has been extended and Mr. Dean hopes they can all make it. Based on the last discussion of tax office issues requires an update. The receptionist at the Town Hall will be out for a bit. There will be basic modifications to help alleviate any issues this brings about. The receptionist will be working with the Tax Office.

H. Legislative Update

Mr. Dean also reports that the Municipal Association has put out documentation regarding LSR's. This could lead to new proposals and we could be seeing some more interesting things put out there.

I. Selectmen's Committee Reports

Mr. Ferraro indicates there are no committee reports. Budget committee is scheduled for 11/29/2012 and the Planning Board meets after the lighting of the Christmas Tree Thursday. The Heritage Commission demolition review for 11 Summer Street. River Study meeting will be Thursday morning.

J. Correspondence

91A regarding updated computer usage policies. An email from Kelly Geis regarding Tax Deed Issues. Chairman Aldrich recommends coming in a little early to the next meeting to discuss these emails. A copy of the invitation to Holiday Open House on Thursday December 8th from 4:00 to 7:00 at the Town Hall. An email exchanged regarding the proposed street sweeper to be scheduled for discussion. An email exchange between Kelly Geis and Chairman Aldrich regarding the Tax deed Issues that need updating. An update on the Connie Road Situation. The details are unclear. An email from Mr. Bailey regarding the use of the fund balance. An email regarding the proposal of adding a new position to the town payroll. An email from the Mitchell family regarding the new Groundwater Plant. An email from Ms. Geis regarding the properties on the list for next week. An email from the Chamber regarding the AMTRAK Downeaster.

DRAFT MINUTES

8. Review Board Calendar - None

9. Non Public Session - Fee Waiver - None

10. Adjournment

Ms. Gilman moves to adjourn, seconded by Mr. Ferraro. Vote unanimous.

The board stood adjourned at 10:13 pm.

Respectfully submitted,

Jennifer Pond
Recording Secretary