

Exeter Board of Selectman Meeting

Monday April 1st, 2013

1. Call Meeting to Order

Chairman Don Clement called the meeting to order at 7:02 pm in the Nowak Room in the Exeter Town Office building. Members present were: Chairman Don Clement, Vice Chairman Dan Chartrand, Selectwoman Julie Gilman, Selectman Frank Ferraro and Selectman Matt Quandt. Also present was Town Manager Russell Dean.

2. Board Interviews : Zoning Board of Adjustments

None at this time

3. Public Comments

Mr. Baillargeon addressed the board and requested an update on Article 35 for the Receptionist/Telephone Operator position. Chairman Clement explained this is pending review and could be a longer process since it is a new job function. They are trying to merge two jobs and assigning it to one individual. An assessment may be available in the next couple of weeks.

Michelle Holt-Shennan with NH Listens addressed the board and reminded folks about the upcoming event taking place on Wednesday April 10th, 2013 at 6:30 pm at the Exeter High School Cafeteria. Those interested may pre-register online at www.nhlistens.com or arrive at 6:00 pm on the day of the event to sign-in.

4. Minutes & Proclamations

- a. Regular Meetings: March 18th, 2013

Chairman Clement made a motion to approve the minutes from March 11th 2013. Selectman Quandt seconded the motion. Motion carried – all in favor.

5. Appointments – ERLAC (Nominations)

Vice Chairman Chartrand moved to nominate Chairman Clement to the Advisory Board Committee. Selectman Quandt seconded the motion. There were no other nominations for the position. Motion carried – all in favor.

Vice Chairman Chartrand requested one extension to nominate Peter Richardson (not present) to the Advisory Board Committee. Selectman Quandt seconded the motion. There were no other nominations for the position. Motion carried – all in favor.

6. Discussion/Action Items

- a. New Business

- i. Sportsmen's Club Site Plan Approval Follow Up

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Chief Berkenbush, the Assistant Fire Chief to the Exeter Fire Department addressed the board and provided an overview of the Sportsmen's Club Remedial Action plan.

Chief Berkenbush reported the Town received a request from the Department of Environmental Services (DES) on March 7th, 2013 that requested a Remedial Action Plan (RAP) for the Sportsmen's Club site. The letter provided information of what DES would like to eliminate which are:

- Eliminate direct contact with human exposure pathway to the contaminants present in the Site soils.
- Eliminate exposure to the benthic organisms that may be present in the intermittent stream and other forms of wildlife to the lead shot in the stream.
- Eliminate the direct contact human exposure pathway to the contaminants present in the abutter's soils to the East of the Site.

Chief Berkenbush explained the Sportsman's Club is building a Berm on the right-hand side, opposed to the left-hand side, and some of the soils contained at the site can be used as Berm material. This would save removal costs to the town.

There were conditions Chief Berkenbush negotiated with DES.

- The RAP has to be in place and accepted by DES and the town.
- Once completed it will be presented to the Board with the agents of the Lease
- Construction of the Berm may begin upon approval

Chief Berkenbush shared correspondence from Gary Garfield at URS Corporation. This explained that URS Corporation would like to breakdown the site into three different areas:

Area 1 –The open field portion of the trap range

Area 2 – The forested portion of the contaminated property owned by the Town

Area 3 – The abutting property

Chief Berkenbush advised URS Corporation will provide a RAP to him by April 3, 2013 so he can meet the dates arranged by DES.

- RAP schedule due to DES by April 8th 2013.
- URS to provide a scope of work to Chief Berkenbush by April 12th 2013.
- DES has requested a scope of work by April 15th 2013,
- Conduct field sampling on or about May 1st 2013.
- Submit a draft to the town by the end of June early July.
- Remedial action plan sent to DES by middle to the end of August.

Chief Berkenbush confirmed the RAP will need to be contracted out due the reason that it will require a Specialist.

Chief Berkenbush explained there will be a warrant Article on budget in 2014 for funding. Chairman Clement confirmed the town is liable for the contaminated soil therefore the funding as well regardless what the intentions of the Sportsman's Club. It was mentioned that Mr. York of the Sportsman's Club has funding set aside to build the Berm.

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Mr. Dean confirmed the town will not have a good sense of the costs for the RAP until the testing is completed since many factors affect the costs.

Len Benjamin addressed the board and shared his opinion on the RAP. He believes the Club has an obligation to pay for the Berm, and the costs associated outside the area of the Berm, since the Club is responsible for the contamination. Mr. Benjamin indicated the Club has obligations under the law and lease.

Sue Refloat addressed the board and Chief Berkenbush and asked what the timeline would be on the soil testing since a Sound Test is required prior to the construction of the Berm.

Chief Berkenbush pointed out construction may not begin until September 2013.

ii. Swasey Parkway

Ruthanne Rogers, a Trustee for the Swasey Parkway, addressed the board and presented a list of Rules that have been adopted along with fee increases.

Mr. Dean explained the Trustees permit the land and the Town permits the roadway. Mr. Dean invited feedback from the Trustees to see if the permit process has been working effectively for them. It was confirmed that the process has been working.

Vice Chairman Chartrand suggested the Trustees always lead with a permit. The Trustees permit an event then arrange final approval with the Police Chief and the Select Board.

Gerry Hamel, a Trustee for the Swasey Parkway, provided the board with a copy of the year-end report and explained this is the reason behind the rate increase. Mr. Hamel referred to the report and clarified that though the town donates \$10,000.00/year for maintenance of the Park and money for the electricity, which is \$950.00, they are still depleting the money in the trust.

Some of the key points of the discussion were:

- Possibly another movie night in August
- Park and Recreation donated \$1,000.00 last year for the Beer and Chili Festival
- It was confirmed the fees may be waived at the discretion of the Trustees
- A graduated scale of rates and/or rates based on situations was suggested to the Trustees and will be further reviewed
- It was confirmed that any event that brings people in would be considered a Community Event.
- A fee will never be charged to enter the Parkway which includes from the Town all the way to Newfields Road.
- A fenced in area is an option that will not limit the use of the Parkway
- The Parkway is the road and the Park in the Grass area
- The Jurisdiction for the Trustees is everything but the road. The road is the towns and they will not charge for the use of the roads
- The Trustees are not looking to the fees to offset the yearly costs to maintain the Parkway but to the donations received

Mr. Hamil clarified they are not trying to stockpile money but offset the costs. He also explained that they are looking to expand the beer and wine and arrange it so the park will still be accessible except for that defined one area.

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Ruthanne Rogers addressed the board and inquired about the use of the roadway closing in the event of a Wedding. The members of the board confirmed this is a case by case decision.

Alison Fields, President of the Board of Governors for the American Independent Museum, spoke of the event taking place on July 20th 2013. She talked about the expense to rope off the area of the encampment while keeping the roadway clear and charging a fee to patrons to enter the encampment. The members confirmed this is an issue that will need further evaluation with the Trustees for cost clarification and access to the Parkway.

iii. Unitil : Piping Replacement Plan

Mr. Dean discussed an email he received from Jennifer Perry, P.E. Director for the Town of Exeter. The letter indicated Unitil is about to undertake a major project over the course of the Spring and Summer, (approximately 6 months of construction) replacing gas lines in the town. The Department of Public Works has raised some concerns about the conditions of the roads dug up, the frequency of road closures and what condition the roads will it be left in.

Phil Johnson, the Construction Supervisor for Unitil, explained they are required to replace all Bare Steel Pipe with a 100% plastic and protective coated Steel system.

Selectman Frank Ferraro questioned Mr. Johnson about traffic and if the roads will be one way or one lane. Mr. Johnson advised it depends on the road and they will be in contact will all the residences about the meters. Selectman Ferraro also questions the condition of the pavement after the work has been completed. Mr. Johnson explained they will replace what they remove, the road will be redone and the trench (generally 2 feet deep) will be completed to the specifications.

Chairman Clement questioned the integrity of the roads once they have been compromised.

Jennifer Perry, P.E. Director, responded to Chairman Clement and Unitil and expressed concerns of how to preserve the roads that were recently replaced. She agreed that getting un-coded bare steel gas lines is a good thing but it is an expense that the town bares since any excavation of the road will reduce longevity of the surface pavement (up to 40% reduction) in the lifetime of a road that is excavated.

They are going to recommend a change to the DPW public policy that any excavation greater than 200 ft. in length and the surface is less than 7 yrs. old they are requested a full width overlay from curb to curb. This would affect Water Salem Street, Park Street and Oak Street. The policy is currently in place however, the permits have not been signed at this time.

Chairman Clement confirmed that once the schedule is confirmed they would relay the info to DPW then provide an avenue to go Public.

Chairman Clement advised that as the schedule is developed, it will be shared with the DPW.

Mel Ciulla, the Operations Manager for Unitil, addressed the board. He feels that putting a restriction of an overlay on a whole road may not be something they can bare. They cannot commit to a full road overlay.

Chairman Clement and Mr. Ciulla came to an agreement that the policy in effect by the town and the excavation and restoration of the roads as laid out by Unitil will need to be further discussed with the DPW.

iv. PEA Request : One Way Traffic

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Mr. Dean discussed a request from Phillips Exeter Academy for one way traffic. Mark Layton from PEA requested the Board approve a traffic plan for April 15th through August 2nd (approximates dates) for the purpose of allowing the ongoing upgrade of PEA's underground steam distribution system. The traffic would be redirected from 6:00 a.m. to 5:00 p.m., 5 days per week (Monday through Friday).

Mark Layton from PEA addressed the board and reconfirmed the request for One Way traffic from April 15th to August 2013. They are moving the new steam line more east. Mr. Layton advised overnight parking would not be allowed and construction personnel would be present. He also explained the 6:00 a.m. start-time is for set-up and this will not interfere with the town noise ordinance which is after 10 p.m. and before 7 a.m. Selectwoman Gilman made a motion to approve the Roadway Construction Plan and Vice Chairman Chartrand seconded. Motion carried – all approved.

v. Emergency Plan Update : RPC

Chief Wilkins addressed the board and provided an update on the Natural Mitigation Plan. Chief Wilkins explained that FEMA has endorsed the plan which is currently pending board approval. The members will review and address once the public meeting has been posted for a minimum of 12 days.

vi. BOS Committee Assignments

Vice Chairman Chartrand reviewed the current roster. Selectwoman Gilman requested to be a member of the Exeter Transportation Committee. A motion was made by Selectman Quandt to move the slate as amended and seconded by Vice Chairman Chartrand. Motion carried – all in favor.

vii. Accept 2013 HHW (Household Hazardous Waste) Funds

Mr. Dean briefly explained the purpose of the Grant. A motion was made by Vice Chairman Chartrand to accept the HHW collection funds for 2013 and enter into a contract with the NHDES and further authorize the town manager to execute documents which may be necessary for this contract and seconded by Selectwoman Gilman. Motion carried – all in favor.

b. Old Business

i. Set 2013 Goal Setting Session

Chairman Clement confirmed with the members a meeting date of Friday April 12th at 9 am in the John Doyle conference room located at the DPW. Mr. Dean advised Primex will be present and will provide a note taker for the session.

The members will be reviewing 2011 and 2012 goals along with other areas such as water, waste water, town facilities and infrastructure.

7. Regular Business

a. Bid openings – None at this time.

Mr. Dean discussed the bids received for Mobile Home Removal. The estimated costs to remove all remaining units are approximately \$21,000.00 and will allow the town to be free of any further liability.

Vice Chairman Chartrand motioned to allow the Town Manager to accept the low bid on each property and move forward with releasing these properties from the town's responsibilities. Selectman Quandt seconded the motion. Motion carried – all in favor.

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Chairman Clement will provide a current list of eligible properties (Tax Deeded Properties) as soon as it is available and advised the list changes daily.

Clement requested a non-meeting, meeting with Town Council to discuss future processes in handling the sales of the tax deeded units. The meeting should be scheduled in the next couple weeks and will be held prior to the regular scheduled meeting on April 15th.

b. A/P and Payroll Manifests

A motion was made by Selectwoman Gilman to approve the payroll warrant for week ending March 22nd 2013 in the amount of \$363,793.63, seconded by Vice Chairman Chartrand. Motion carried – all in favor.

A motion was made by Selectwoman Gilman to approve the A/P warrant for week ending April 1st 2013 in the amount of \$2,071,701.00, seconded by Vice Chairman Chartrand. Motion carried – all in favor.

A motion was made by Selectwoman Gilman to approve the payroll warrant for week ending March 27nd 2013 in the amount of 163,427.55, seconded by Vice Chairman Chartrand. Motion carried – all in favor.

A motion was made by Selectwoman Gilman to approve the A/P warrant for week ending March 29th 2013 in the amount of \$111,805.63, seconded by Vice Chairman Chartrand. Motion carried – all in favor.

c. Budget Updates

Mr. Dean did not have any updates at this time.

d. Tax Abatements and Exemptions

A motion was made by Selectwoman Gilman and seconded by Vice Chairman Chartrand to deny Tax Abatements located at Map/Lot 72/158, 86/50 and 63/102/41. Motion carried – all in favor.

A motion was made by Selectwoman Gilman and seconded by Vice Chairman Chartrand to approve the Tax Abatement located at Map/Lot 60/18 in the amount of \$642.82. Motion carried – all in favor.

A motion was made by Selectwoman Gilman and seconded by Vice Chairman Chartrand to approve the Tax Abatement located at Map/Lot 72/182 in the amount of \$974.59. Motion carried – all in favor.

A motion was made by Selectwoman Gilman and seconded by Vice Chairman Chartrand to approve the Tax Abatement located at Map/Lot 72/105 in the amount of \$2,928.96. Motion carried – all in favor.

A motion was made by Selectwoman Gilman and seconded by Vice Chairman Chartrand to approve the Tax Abatement located at Map/Lot 94/24/16 in the amount of \$272.16. Motion carried – all in favor.

A motion was made by Selectwoman Gilman and seconded by Vice Chairman Chartrand to approve 29 Tax Abatements totaling \$183,751.00 (each) located at Map/Lot 28/5, 104/80/1, 52/89, 104/79/13, 64/105/47, 104/79/217, 27/13, 104/79/802, 87/14/18A, 104/79/131, 104/79/101, 81/36, 28/2, 22/4, 63/102/21, 68/6/147, 104/79/324, 95/64/288, 81/34, 35/9, 74/38, 104/79/16, 64/11, 87/8/C-17, 99/26, 65/124/35, 73/68/1, 104/79/38, and 104/79/301. Motion carried – all in favor.

A motion was made by Selectwoman Gilman and seconded by Vice Chairman Chartrand to approve Elderly Exemptions for 52 properties totaling \$236,251.00 located at Map/Lot 64/105/78, 83/22, 68/6/124, 95/64/89, 104/79/322, 68/6/225, 83/35, 74/77/9, 104/79/1006, 95/64/258, 90/18/2, 104/79/405, **73/223**,

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(Sheet reads 233), 95/64/218, 65/16, 103/13/21, 73/101, 104/79/110C, 104/79/700, 64/105/103, 104/79/709, 104/79/213, 38/7, 73/22, 104/79/8, 65/11, 65/124/28, 64/105/55, 104/79/116, 104/79/125, 65/75, 65/58, 62/94, 104/79/226, 51/5, 104/79/105, 52/74, 95/64/206, 52/63, 104/79/903, 63/147, 22/1, 104/79/515, 85/42, 65/104/61, 104/79/19, 62/48, 65/51, 61/23, 63/102/57 and 65/104/11. Motion carried – all in favor.

A motion was made by Selectwoman Gilman and seconded by Vice Chairman Chartrand to approve Elderly Exemptions for 29 properties totaling \$152,251.00 located at Map/Lot 95/64/321, 95/64/210, 32/12/22, 65/32, 64/105/4, 63/237, 65/124/15, 52/68, 104/79/116, 95/64/170, 95/64/60, 104/79/311, 72/17/6, 81/5, 104/79/132A, 95/64/198, 64/105/85, 103/13/22, 64/17, 76/9, 70/126, 32/12/16, 55/20, 65/104/49, 90/27, 104/79/2 and 104/79/403. Motion carried – all in favor.

A motion was made by Selectwoman Gilman and seconded by Vice Chairman Chartrand to deny Elderly Exemptions located at Map/Lot 104/37, 104/79/316, 95/64/199. Motion carried – all in favor.

A motion was made by Selectwoman Gilman and seconded by Vice Chairman Chartrand to approve 1 Elderly Exemption located at Map/Lot 74/10 in the amount of \$127,200.00. Motion carried – all in favor.

A motion was made by Selectwoman Gilman and seconded by Vice Chairman Chartrand to approve 1 Elderly Exemption located at Map/Lot 89/18 in the amount of \$227,200.00. Motion carried – all in favor.

A motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve Veteran's Credits in the amount of \$500.00 each located at Map/Lot 104/79/422, 95/64/17 and 86/25. Motion carried – all in favor.

A motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve Disability Exemptions located at Map/Lot 32/12/28, 64/104/44, 95/64/311, 95/64/77, 95/64/253, 65/124/2,7 95/64/117, 51/6, 95/64/278, 87/14/10A and 38/4 in the amount of \$125,000.00. Motion carried – all in favor.

A motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve Disability Exemptions located at Map/Lot 68/6/188 in the amount of \$107,800.00. Motion carried – all in favor.

A motion was made by Selectwoman Gilman and seconded by Vice Chairman Chartrand to deny Disability Exemptions located at Map/Lot 95/64/168. Motion carried – all in favor.

e. Water/Sewer Abatements – None at this time

f. Permits

A motion was made by Mr. Dean and seconded by Vice Chairman Chartrand to approve the facility request from the Exeter Women's Club for use of the town hall on October 6th, 2013 from 1:00 pm-3:00 pm. Motion carried – all in favor.

A motion was made by Vice Chairman Chartrand and seconded by Chairwoman Gilman to approve the facility request from the Republican Town Committee for use of the town hall on October Oct 12th2013 from 10:00 am – 4:00 pm. Motion carried – all in favor.

A motion was made by Vice Chairman Chartrand and seconded by Chairwoman Gilman to approve the facility request from the Republican Town Committee for use of the town hall on October April 27, 2013 from 3:00 pm – 9:00 pm. Motion carried – all in favor.

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g. Town Manager's Report

Mr. Dean discussed the following points

- Coast Assessments for Fiscal year 2014. The increase is close to \$10,000.00 per year. The increase will be addressed later in the year.
- The street sweeper is currently operational.
- The Egg Hunt held last Friday was a big success.
- Mr. Dean met with Mark Sanborn from the Planning Office regarding the Baggage Building Project last week and they are working through the kinks in the NHDOT grants.

h. Legislative Update – None at this time.

i. Selectman's Committee Reports

Selectman Ferraro advised he met with the Water/Sewer Committee last week and the Chairman of the committee will be submitting two recommendations to the board. The recommendations will review overdue bills and increasing rates for next year.

Selectman Ferraro meet with the Planning board last Thursday and had a short discussion about the Sportsman's Club. He also met with the Safety Committee.

Selectman Ferraro met with Mr. Elder who presented a preliminary review of the revised plan on Epping Road which is pending formal approval. The members discussed Housing vs. Commercial space and Selectman Ferraro advised the first floor is Commercial space and 2nd floor is Residential apartments, primarily 1 bedroom apartments.

Vice Chairman Chartrand stated he would be meeting with the Exeter Economic Development Commission tomorrow morning and the TIF Working Group on Wednesday.

Chairwoman Gilman briefly discussed the following:

- The 375th Anniversary has met and approved a t-shirt they designed for the event.
- There has been discussion of a movie license to hold film events at town hall.
- The 375th Anniversary Committee is working with the Historical Society for a republication on Nancy Merrill, History of Exeter from 1838 – 1988.
- Historic District Commission received an application for a radio antenna on one of the smoke stacks that has been approved.
- Mr. Mike Schidlovsky, a representative from the Exeter area Chamber of Commerce requested the use of his sign however, the opportunity to meet with Mr. Schidlovsky and his landlord together, has not been possible.
- The Train Committee met and determined the numbers were down due to snow storms and construction. As of today the Train has begun their Summer Schedule.
- It was confirmed that the trains will be operational for the Red Sox games.

Selectman Quandt reported he will be attending the Swasey Park meeting to be held next Wednesday.

Chairman Clement briefly discussed the following:

- The Arts Committee met and they are reviewing ideas that will be presented at a later time.

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- He will be meeting with the sub-committee of the River Study Committee and the Conservation Committee sometime this week.

j. Correspondence

Chairman Clement reviewed the following:

- The Fire Department is looking into purchasing a Unitil truck from Surplus.
- Chief Kane received a letter from the Highway Safety Agency stating the contractor for federal funds for Highway Safety Project #315-13A-171 entitled "Exeter Motorcycle" has been approved.
- A letter received from Homeland Security and Emergency Management explained a Major Disaster Declaration Program meeting for Rockingham County will be held on April 3rd 2013 at 1:30 pm at the Stratham Fire department.
- A letter received from the Division of Forests and Lands stating Brian Comeau was re-appointed as Forest Fire Warden for the Town of Exeter for term ending December 31, 2015. The letter also provided a List of Deputies.
- The Assessor's office is re-qualifying the elderly exceptions which are due in the office by April 2013
- A letter received from the National Center for Missing & Exploited Children provided an invite to issue a Proclamation to commemorate National Missing Children's Day on May 25th.

8. Review Board Calendar

Chairman Clement provided a recapped of the pending meetings.

Goal Setting Session meeting on April 12th

Next Regular meeting on April 15, preceding a non-meeting meeting

A motion was made by Chairman Clement and seconded by Vice Chairman Chartrand to adjourn to non-public session at 9:45 p.m. Motion carried - all in favor.

Respectfully Submitted,

Nadine Young

Recording Secretary