

## Draft Minutes

### Exeter Board of Selectmen Meeting

June 17, 2013

#### **1. Call Meeting to Order**

Chairman Don Clement called the meeting to order at 7:00 pm in the Nowak Room of the Exeter Town Offices building. Other members present were Vice Chairman Dan Chartrand, Selectman Frank Ferraro, Selectwoman Julie Gilman, and Selectman Matt Quandt. Town Manager Russell Dean was also present.

#### **2. Public Comment**

Brandon Stauber spoke in front of the Board. He made some comments about an EDC meeting he had attended that week, in which he felt personally attacked. He spoke about his feelings. Selectman Quandt asked what the issue was. Brandon said the BOS has a disrespectful attitude in general for anyone who disagrees with the Board.

Dennis Brady spoke saying Brandon was told he was the problem. He said there still questions that need to be addressed. Selectman Quandt, who was absent from said meeting, asked if people were denied the right to ask questions. Mr. Brady said no, but that there were some statements made that were not appropriate. He felt the situation was not handled correctly.

Chairman Clement said this is a committee meeting so this should be brought up at the next EDC meeting.

Selectman Ferraro thanked Mr. Brady and Mr. Stauber for getting up in speaking their concerns, but agrees that this should be discussed at the EDC meeting. He went on to say there should not be any personal attacks anywhere, that it should be discussed one on one.

Don Woodward spoke and asked to reserve time at the legislative update to speak.

Dan Jones asked the BOS to let the public know there is a bicycle race coming up next week. Mr. Dean said it is typically the third week in June.

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

##### **a. Regular Meeting: June 3, 2013**

A Motion was made by Selectman Ferraro and seconded by Selectman Quandt to accept the minutes of the June 3, 2013 Board of Selectman meeting. Motion carried – all in favor.

## **5. Appointments**

A Motion was made by Vice Chair Chartrand and seconded by Selectman Quandt to appoint Christina Hardy to the Planning Board for term ending 4/30/2015. Motion carried – all in favor.

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

### **a. New Business**

#### **I. Public Hearing: Connie Road Emergency Lane Designation**

A Motion was made by Selectman Quandt and seconded by Vice Chair Chartrand to open a public hearing on the designation of Connie Road as an emergency lane under Section 231:59-A. Motion carried – all in favor.

Vice Chair Chartrand said there was a discussion started 2 weeks ago about Connie Road being designated an emergency lane. Mr. Dean said there is a provision that allows by law to declare an emergency lane for doing minimal repair on these roads. He said in 1989 the town passed a citizens petition for winter maintenance on Connie Road. There is a question of title on Connie Road, making it unclear whether the road is private or belongs to the town. For the purpose of the hearing the road is being considered private.

Fred Renz, a Connie Road resident, spoke saying himself and other residents on the road are asking for minimal maintenance. He said the residents have been getting together over the years and doing maintenance but it is getting tougher and more expensive.

Chairman Clement said minimal work would be 2-3 hours in the spring to take care of the winter mess.

Dan Jones, a Connie Road resident, said he would be happy to work with the town to create a turnaround.

Bob Collier, a Connie Road resident, thanked the Board for listening to the residents' concerns.

Chairman Clement commented that this is an important issue not just for the residents, but because there are water lines that run down the road that need to be accessed. There are other access issues to conservation land that require this road be passable.

Selectwoman Gilman mentioned that it would not only help the residents out, it also would help out the town.

Vice Chair Chartrand thanked the residents for their cooperation.

A Motion was made by Selectman Quandt and seconded by Selectwoman Gilman to close the Public Hearing. Motion carried – all in favor.

A Motion was made by Selectman Quandt and seconded by Vice Chair Chartrand to declare Connie Road an emergency lane under RSA 231:59-A. Motion carried – all in favor.

## **II. 2013 Dog Warrant**

Russ Dean said every year the BOS signs a warrant for unlicensed dogs. He said there are currently 568 unlicensed dogs in Exeter and dog owners need to register or they could be fined. He recommended the Board vote to sign the warrant.

A Motion was made by Selectman Ferraro and seconded by Selectwoman Gilman to sign the warrant for unlicensed dogs in 2013. Motion carried – all in favor.

## **III. Lease/Purchase Documents: Sewer Vector Truck**

Mr. Dean said the Board has awarded the bid at a previous meeting for the sewer vector truck to CN Wood for \$369,000. Tonight is the financing recommendation which is Provident Bank. He said this was a favorable bid because the truck came in \$20,000 under budget and Provident offered a great interest rate of 1.59%. He said Provident Bank was aggressive with their proposal compared to others. Mr. Dean asked for the Boards approval so Chairman Clement can sign. He went on to say the total principal and interest will be \$385,370.83. Chairman Clement asked if this goes forward, when will the new truck come and what will be done with the existing truck. Michael Jeffers said it will come by October and that he has a number of interested buyers for the existing truck. Chairman Clement said the existing truck will be declared to surplus and put out to bid.

A Motion was made by Selectman Quandt and seconded by Selectwoman Gilman that the Board of Selectman approve the lease purchase financing of the sewer vector truck through Provident Bank for five years with an interest rate of 1.59% annual interest. Further, the Board of Selectmen authorize the Chairman to sign the necessary documents to effectuate the lease purchase. Motion carried – all in favor.

#### **IV. Goals Meeting Follow Up**

Chairman Clement said the Board met on June 7 to follow-up on the goal setting session that was started in April. He said they discussed numerous topics that were brought up at the April meeting. He said they formulated four measurable goals for the Boards to meet between now and the end of the year.

Selectman Ferraro had a couple amendments to the goals. The first being, on the first bullet, he wanted to specify getting the Board's views known rather than getting others views.

Vice Chair Chartrand requested that the Board get the amendments in advance, and to table his amendments. Chairman Clement said any new business should be brought up beforehand. He went on to say he didn't think Selectman Ferraro was making an amendment, rather just adding a few things.

Chairman Clement went back to Selectman Ferraro's idea, saying he would have a hard time going in and calling all the Boards and telling them how to conduct business. He would rather get input from them. He wants input from the Boards and not the BOS versus all other Boards. Selectwoman Gilman commented that she doesn't look at it a BOS versus other Boards. Vice Chair Chartrand said he likes the memo as drafted by the Town Manager.

Selectman Ferraro said the ZBA does not have the same powers as other Boards, therefore he does not see the need to have them at the all boards meeting. Selectwoman Gilman said the ZBA should be invited.

Chairman Gilman talked about Goal 2 and asked if all felt comfortable with this goal. All Board members do.

In conclusion, all Board members felt comfortable with all four goals.

Selectman Ferraro asked when the minutes would be out from this meeting and Mr. Dean said he would check with Primex.

#### **b. Old Business**

##### **I. Bid Award: Waterstream Reduction Project**

Russ Dean talked about the result from a bid a couple weeks ago. He said DPW recommended that PRB Construction, Inc out of Gilford, NH be awarded the bid for the amount of \$108,000.

Selectman Ferraro asked about additive alternative 2a and 2b. Michael Jeffers, from DPW, said additive alternative 2a and 2b are not required to make the project work. He went on to say they can negotiate with all bidders to get a lower bid for 2a and 2b.

Selectman Quandt asked when the completion date is. Mr. Jeffers said he can't give an exact date but it will be before snow flies.

A Motion was made by Selectman Quandt and seconded by Vice Chair Chartrand to award the bid to PRB Construction, Inc. for the amount of \$108,000. Motion carried – all in favor.

Mr. Jeffers asked anybody watching the meeting to respond to their water meter replacement notices.

Mr. Dean said he will put a reminder on the town website.

## **II. Follow Up: Public Drinking Ordinance**

Chairman Clement started the discussion, talking about various events and whether or not there should be allowed alcohol consumption. He said it is not allowed unless the Parks and Recreation Director and/or the Chief of Police ok it. Mr. Dean reminded that Primex is looking at the "consumption" of alcohol, and not the "sale" of alcohol.

Vice Chair Chartrand thinks the ordinance is fine the way it is. He said responsible town employees are already involved and there is no need to go in and change anything.

Selectman Ferraro does not think alcohol consumption should be allowed on public property.

Selectman Quandt agreed with Mr. Chartrand, but thinks there should be something in writing so the BOS can be involved if there is a disagreement between the Parks and Rec Director and the Chief of Police.

Selectwoman Gilman is not against public consumption, but she thinks the town has to be careful about it. She thinks there should be something in writing saying "At your own risk". She just wants it to be more structured.

Mr. Dean said the locations are going to have to be specific. Chairman Clement agreed, adding there must be a limit to specific locations so it's not happening all

over town. The event wishing to have alcohol consumption must meet all the requirements of the license agreement.

Selectman Ferraro said this is a more important agenda item and that the BOS should be involved in the decision making. Selectwoman Gilman thinks it should only be brought to the Board if it is a large event.

Chairman Clement asked Mr. Dean to have counsel review the license agreement and the ordinance and venue limitations, and asked him to report back in a few weeks.

### **III. Jay Walking Memo: Chief of Police**

Chairman Clement talked about a memo from Chief Kane. Mr. Dean said the crosswalk issue has been brought up but DPW has many projects going on and they need to fit this in.

Selectman Ferraro thanked Chief Kane for putting the memo together.

Vice Chair Chartrand read parts of the memo. Chief Kane said there are no problems with jaywalking, also saying that most accidents occur when pedestrians are on the crosswalk.

Vice Chair Chartrand asked why this is being brought up and Selectman Ferraro answered it is just something to be observed.

Selectman Quandt thinks it would be more appropriate to just ask people to use the crosswalk rather than writing summons.

Chairman Clement said he does not want to be “that town” that gives pedestrians summons for not using crosswalks. We went on to say it is a behavior that is hard to legislate.

Mr. Dean went on to describe the process of reporting a jaywalker. He said if someone sees it they would have to call the police and have a policeman assigned to follow up.

## **6. Regular Business**

### **a. Bid Openings /Surplus Declarations**

Mr. Dean said there are two surplus declarations at Simpson’s Pit. They are two old screeners and DPW says they do not need them.

A Motion was made by Vice Chair Chartrand and seconded by Selectman Quandt to declare the screeners surplus. Motion carried – all in favor.

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

A Motion was made Selectwoman Gilman and seconded by Vice Chair Chartrand to approve payroll disbursements for checks dated June 5, 2013 in the amount of \$196,882. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Vice Chair Chartrand to approve payroll disbursement checks dated June 12, 2013 in the amount of \$166,440.03. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Vice Chair Chartrand to approve accounts payable checks from the capital fund in the amount of \$112,418.93. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Vice Chair Chartrand to approve accounts payable checks dated June 7, 2013 in the amount of \$304,790.35. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Vice Chair Chartrand to approve account payable warrant for checks dated June 14, 2013 in the amount of \$142,960.13. Motion carried – all in favor.

**c. Tax, Water/Sewer Abatements & Exemptions**

A Motion was made by Selectwoman Gilman and seconded by Vice Chair Chartrand to approve an abatement for Map 68, Lot 2, in the amount of \$278.09. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Vice Chair Chartrand to approve an abatement for Map 89, Lot 8, in the amount of \$63.51. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve an elderly exemption for Map 63, Lot 156 in the amount of \$182,357.00. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve an elderly exemption for Map 104, Lot 79, Unit 512 in the amount of \$236,251.00. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Vice Chair Chartrand to approve a veteran's credit for Map 64, Lot 67 in the amount of \$500.00. Motion carried – all in favor.

There was an Intent to Cut which was put on hold for reference to the Town Planner.

**d. Permits**

Mr. Dean talked about the permit at the Orange Leaf for extra outdoor seating. He said the ZBA decision did not prohibit this. Mr. Eastman said all measurements on the sketch of layout provided were accurate.

Selectman Ferraro suggested requiring insurance for extra seating and requiring a trash receptacle outside for their outside seaters.

A Motion was made by Vice Chair Chartrand and seconded by Selectman Quandt to approve an additional 8 seats for Orange Leaf seating on sidewalk provided they provide a certificate of insurance and require a trash can. Motion carried – all in favor.

Mr. Dean said the business puts their things on public property at their own risk so he wasn't sure about the need to require proof of insurance. Selectman Ferraro said he's not worried about their stuff being damaged but more concerned about a pedestrian tripping and falling.

Mr. Chartrand added he would like them to provide a certificate of insurance.

Mr. Dean will get a certificate of insurance from Orange Leaf.

**e. Town Manager's Report**

Mr. Dean talked about the following:

- He was able to attend a visit to Eclipse with some EDC members. He said it was a good meeting and they are doing great things out there.
- He wanted to recognize the staff for their work on Jady Hill, saying they are doing a great job.
- The HR Director is back part-time

- The Town Clerks office is still under construction but should be done very soon.
- The Town Office HVAC project is coming to an end.
- He commended the town employees for helping so much with the interns
- Town Hall- waiting on final estimate from the contractor regarding electrical work to be done.

**f. Legislative Update**

Don Woodward talked about HB 630 and SB 111. He asked the Board to write a letter of recommendation to the governor. He thinks these bills are important and should be discussed. Vice Chair Chartrand asked for these to be put on the next meeting's agenda.

**g. Selectmen's Committee Reports**

Selectman Ferraro reported he did a site walk on Linden Street Commons. He is concerned the work may not be proceeding to plan. He attended the Water/Sewer Committee meeting and a Safety Committee meeting. He said Planning Board meets Thursday (June 20).

Vice Chairman Chartrand attended the BOS goals session on June 7. He said it was a great session and Primex was very helpful. He attended the Water/Sewer subcommittee meeting on June 10. He also attended the EDC meeting on June 11. He spoke a bit about the happenings, in specific gave an explanation about Brandon Stauber's issues at the EDC meeting as mentioned above in Public Comment. He said he feels badly about the earlier discussions.

Selectwoman Gilman attended the Heritage Commission meeting. He also said 375<sup>th</sup> met and revised the cost of the t-shirts. She is looking for help to sell these. She said the next event is the Victorian Tea and Garden Tour on June 22 from 2-4. She also talked about the Great Dam study which will be discussed on June 26 at the High School.

Selectman Quandt said he had nothing to report.

Chairman Clement talked about the Exeter study on the Dam on the 26<sup>th</sup>. He said they are looking for alternatives on how to keep the Dam and stabilize it. He welcomes any input.

**j. Correspondence**

Chairman Clement talked about the following correspondence:

- A letter from Pennichuck about a water rate case at Forest Ridge
- A letter from NHMBB about the Town's recent bond sale for Portsmouth Avenue water/sewer line replacement.
- A letter from Doreen Ravell consisting a wire confirmation form from the NHBB.

**7. Review Board Calendar**

Chairman Clement said there are three meetings in July; July 1, July 15, and July 29. He asked that one of them be turned into a work session. He talked about getting a full report from the River Study Committee and said the EDC will come in front of the Board in July. He asked Selectwoman Gilman to complete a survey. He also talked policies and trying to come up with a social media policy for employees.

A Motion was made by Selectman Quandt and seconded by Vice Chair Chartrand to adjourn the meeting at 10:15 pm. Motion carried – all in favor.

Respectively submitted,

Nicole McCormack  
Recording Secretary