

Final Minutes

Approved June 17, 2013

Exeter Board of Selectmen Meeting

June 3, 2013

1. Call Meeting to Order

Chairman Don Clement called the regular business 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. Board Interview: Planning Board – An interview for the Planning Board with resident Christina Hardy was held at 6:50 p.m. in the Wheelwright Room prior to the regular business meeting.

3. Public Comment

No public comment.

4. Minutes & Proclamations

a. Regular Meeting: April 29, 2013

Selectwoman Gilman made an amendment to the minutes, adding the following text to the last paragraph on Page 2 “because she is concerned that the employee job could be changed by the legislative body.” Selectwoman Gilman also made an amendment to the last paragraph in agenda item “**d. Tax Abatements and Exemptions**” changing “Lot 95, Map 64” in the last paragraph to “Map 95, Lot 64”.

Selectman Ferraro made an amendment to Page 4, third paragraph down under agenda item “**III. Quarterly Financial Report – Finance Department**” changing “He said he was told it would be a much higher revenue...” to “He said the Board was told it would be a much higher revenue...”

A Motion was made by Vice Chair Chartrand and seconded by Selectman Quandt to accept the minutes of the April 29, 2013 Board of Selectmen meeting, as amended. Motion carried – all in favor.

b. Regular Meeting: May 6, 2013

Selectwoman Gilman made an amendment to the minutes, changing “Gwenovere” on Page 1 to “Guinevere”.

A Motion was made by Vice Chair Chartrand and seconded by Selectman Quandt to accept the minutes of the May 6, 2013 Board of Selectmen meeting, as amended. Motion carried – all in favor.

c. Regular Meeting: May 20, 2013

A Motion was made by Vice Chair Chartrand and seconded by Selectman Quandt to accept the minutes of the May 20, 2013 Board of Selectmen meeting. Motion carried – all in favor.

5. Appointments

A Motion was made by Vice Chair Chartrand and seconded by Selectwoman Gilman to appoint Vern Sherman to the Exeter Housing Authority for term ending 4/30/2018. Motion carried – all in favor.

A Motion was made by Vice Chair Chartrand and seconded by Selectwoman Gilman to move Hank Ouimet from a voting member to alternate member for term ending 4/30/2018 for the Zoning Board of Adjustment. Motion carried – all in favor.

A Motion was made by Vice Chair Chartrand and seconded by Selectwoman Gilman to move David Mirsky from an alternate member to a voting member for term ending 4/30/2016 for the Zoning Board of Adjustment. Motion carried – all in favor.

6. Discussion/Action Items

a. New Business

I. Sign 2013-2015 Fire Agreement

Russ Dean talked about the fire agreement process. Some of the members of the bargaining committee were present at the BOS meeting. Mr. Dean said it was a long but successful process but they came to a 3 year agreement with the fire fighters. One major thing Mr. Dean pointed out was that the fire fighters were willing to give concessions on health insurance, co-pays, etc. Mr. Dean said it was a very successful discussion. The voters supported the cost items in the agreement in March.

Vice Chair Chartrand and Selectman Quandt thanked the members of the bargaining units and the members of the local, saying they’ve been leaders in this process.

Rich Curtis in return thanked the fire administration and the town administration for their support, and of course the voters for their overwhelming support.

All the members of the Board of Selectmen then signed the new Fire Agreement.

II. Connie Road: Emergency Lane Designation

Chairman Clement started the discussion on Connie Road. He said in the past residents have come to the Board to ask if the town could do repairs on Connie Road. There was a lot of discussion because it is a private road. Chairman Clement said in 1989 residents asked if the town could do plowing, sanding, and salting on Connie Road. Recently more residents came to ask if some minimal upkeep could be done. The question came up again of it being a private road. Chairman Clement said that in 2007 the town took over this road because of back tax payments. However, it is now unclear whether or not this is town property.

Russ Dean said that legally they cannot expend town funds on private roads. However, the DPW gave a list of some private roads that they provide some work on, Connie Road being one of them. This has evolved over the years through citizen petitions Town Meeting votes among other things.

Dan Jones, a resident on Connie Road, said the town has water lines running the length of Connie Road, and therefore has to keep the road accessible to get to the lines.

Fred Renz has been a Connie Road resident since 1999. He asked if the property was taken for non-payment of taxes, then that would constitute the town owning the road. Chairman Clement said that is the question. He said it is a bit confusing and who holds title to the land is questionable. He said the Board could declare the road and emergency lane if he felt confident the town owned the land. Otherwise the Board has to notify all the abutters.

Mr. Dean said Connie Road is not in the Town's road classification system.

Andrea Renz, Connie Road resident, talked about a situation she experienced where a fire truck had to come down the road and had a very hard time. She asked if the town has responsibility for making that happen.

Chairman Clement asked the Fire Department to comment on that. The Fire Department said they use caution when on Connie Road, but yes they will always go down it if need be.

Mr. Dean said that is one reason to declare Connie Road an emergency lane. Selectman Quandt mentioned that if they do not declare it an emergency lane then they can't spend any money on it.

Bob Collie, a Connie Road resident, said he understands that there is a new mapping system and so Connie Road should have got designated a new map and lot number. So he asked the Board to explain how the new map and lot number got lost. Chairman Clement explained that he found a property map dated April 1, 2002 which shows Connie Road at Map 99, Lot 6. If you now go through the records you will no longer find a Map 99, Lot 6.

Selectman Ferraro said it sounds like a good solution, but his only concern is if they declare this road an emergency lane, will the other private roads come and try to get declared an emergency lane too? Selectwoman Gilman said it is possible but there are criteria to follow. Chairman Clement said each request will be looked at individually. Mr. Dean said it makes sense to treat the criteria broadly. Normally a policy would apply however town counsel recommends in this instance keeping the Selectmen's discretion unfettered as stated in the RSA. It is one of the few laws that allows this level of discretion for the Board.

Vice Chair Chartrand said he is in favor of scheduling a hearing to address this to all abutters. Mr. Dean said they need to give 10 days' notice prior to the hearing. He said he would get letters out tomorrow (June 4).

A Motion was made by Vice Chair Chartrand and seconded by Selectman Quandt to hold a public hearing on June 17, 2013 to designate Connie Road an emergency lane pursuant to RSA 231:59-A. Motion carried – all in favor.

III. Update on Town Hall

Russ Dean said last Wednesday they did a walk through at Town Hall. He said he was able to watch with Primax. Now he is just waiting for Primax to take the information and boil down to the scope of work amendable to them and the town. When that scope of work it out Mr. Dean said he will have some dates to report. Mr. Dean commented that it is a very historical building so they are taking a bit longer to put together what is to be done for repairs. He said that nobody is allowed in the community space until the work is completed.

Chairman Clement asked if they would have a better understanding of what is to be done by the next BOS meeting. Mr. Dean said yes, they would.

Selectman Ferraro asked if the contractor will be put out to bid. Mr. Dean said generally the contractor is approved by the insurer but he will look into it and get back to him by the next BOS meeting.

IV. Fogge-Rollins Cemetery Report

Russ Dean said that three weeks ago he received correspondence from the Fogge –Rollins Trust saying the property was out of the trusts hands and sold. There is a cemetery on that land that they want the town to take on and maintain. The Parks and Recreation Department thinks they can maintain it at a cost.

Vice Chair Chartrand asked if there is public access to the cemetery. Mr. Dean said it is on private land with no formal public access at this point, however the property owner agreed to give access to the cemetery over their property. Mr. Chartrand said he want it to be public.

Chairman Clement said he would like the Board to determine where the public access would be. He said he put together an estimate for maintenance designating \$675/year.

Selectman Ferraro asked why this isn't included in the sale of the property. Selectwoman Gilman answered because it has a preservation easement on it.

Chairman Clement wants to make sure the cemetery is protected. He said one grave is a Revolutionary War grave. He wants to make sure it is maintained and thinks the town would preserve the history better.

Mr. Dean mentioned that it is not mandatory for the town to take on the cemetery.

Chairman Clement asked Mr. Dean to go back to the trustees with the estimate from Parks and Rec. and tell the trustees that one condition is that there is a public access to the cemetery. He also asked Mr. Dean to find out how much is in the trust care fund and report it back to the Board.

Selectwoman Gilman asked if it is the trust or the current owners who is asking for the towns help. Mr. Dean answered it is the result of the trust process.

V. Letter of Support: Green Infrastructure Funding

Chairman Clement gave an explanation of the Green Infrastructure program. It is a program that was awarded a \$150,000 grant to look at ways to advance green infrastructure. Kristen Murphy, Natural Resource Director, is working with Phyllis Duffy, DPW, on this project. They are asking the Board to help fund for this.

A Motion was made by Selectwoman Gilman and seconded by Selectman Quandt to have Chairman Clement sign this letter on behalf of the Exeter Board of Selectmen to support the Exeter Planning Department's application for the community implementation funding to the green Infrastructure program. Motion carried – all in favor.

Selectman Ferraro said he in favor of grants but he is concerned that the unanticipated work takes manpower and the DPW already has a lot of responsibility. Chairman Clement commented that this is part of the DPW's job responsibilities.

Russ Dean said they have been getting calls about concerns of Brickyard Pond about the water quality, etc. This is a target area for the program.

Don Woodward, Exeter resident, spoke in from of the Board, saying the CAPE Project Design Team can do a good job designing solutions for the program.

b. Old Business

I. Bid Award: Line Marking

Russ Dean said that DPW review the bids and recommends Property Innovations Seal Coating and Line Striping out of Manchester, NH.

A Motion was made by Vice Chair Chartrand and seconded by Selectman Quandt to award the contract to Property Innovations Seal Coating and Line Striping out of Manchester, NH in the amount of \$17,337.06. Motion carried – all in favor.

Selectmen Ferraro had a couple extra issues to address. Firstly, he asked if there was any info from Primax on the alcohol issue, an issue brought up at a prior meeting. Mr. Dean said he would circulate around the info. Secondly, he made a comment about Channel 22, saying it needs improvement. He commented that there is plenty of money to provide good quality streaming and there has been an issue with sound quality and such. He is worried that residents are frustrated and not watching the channel anymore. He recommended mentioning this to the IT guy for Exeter. Mr. Dean said they need to track out all the issues. Vice Chair Chartrand said he has the same frustrations with the channel. He said having a report to tell the issues is great but it is not addressing the problem. He recommended getting someone in to make an assessment on the equipment. Mr. Dean commented he can do that and an assessment will help. Chairman Clement asked Mr. Dean to come back with a proposal of what it might cost to get someone to come assess.

6. Regular Business

a. Bid Openings – Wastestream Reduction Project

Chairman Clement gave the following bids for the Wastestream Reduction Project:

1. APEX Construction, Inc.	\$174,300
Additive alternative 2a	\$62,000
Additive alternative 2b	\$45,000
2. Waterline Industries Corporation	\$133,847
Additive alternative 2a	\$36,137
Additive alternative 2b	\$44,067
3. Infrastructure Construction Corp.	\$217,000
Additive alternative 2a	\$93,000
Additive alternative 2b	\$44,067
4. Renta Corporation	\$166,600
Additive alternative 2a	\$56,000
Additive alternative 2b	\$45,000
5. PRB Construction	\$108,000
Additive alternative 2a	\$72,000
Additive alternative 2b	\$68,000
6. Methuen Construction	\$196,886
Additive alternative 2a	\$44,436
Additive alternative 2b	\$39,265

A Motion was made by Selectman Quandt and seconded by Vice Chairman Chartrand to refer all bids to the DPW to make a recommendation. 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 accounts payable warrant dated May 24, 2013 in the amount of \$98,172.82. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve accounts payable checks in the amount of \$169,334.57. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Vice Chair Chartrand to approve disbursements for Jady Hill from the capital fund in the amount of \$74,687.50. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve water treatment disbursements from the capital fund in the amount of \$40,098.19. 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 12, 2013 in the amount of \$2,060,363.00. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Vice Chair Chartrand to approve payroll disbursements for week ending June 26, 2013 in the amount of \$166,914.19. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve payroll disbursements for week ending June 17, 2013 in the amount of \$161,488.15. Motion carried – all in favor.

c. Tax, Water/Sewer Abatements & Exemptions

A Motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve an elderly exemption for Map 104, Lot 79, Unit 1009 in the amount of \$236,251.

d. Permits

Russ Dean talked about a proposal from Orange Leaf in Exeter asking to add eight chairs to their patio. Selectman Ferraro asked what the ZBA ruling was. Mr. Dean said he would look at the file for that information. Vice Chair Chartrand asked if it was the Board's jurisdiction to make the call. Chairman Clement asked Mr. Dean to look at the ZBA's enforcement for that building and report back at the next meeting. He also has a problem as to where eight additional chairs will go, but first determine whether the ZBA has come up with a decision about the seating.

e. Town Manager's Report

Mr. Dean talked about the following:

- Acknowledgement of Nancy Merrill's room rededication, commenting it was a nice ceremony and it is an important room for the community.

- A call from a concerned resident about the intersection of Watson Road and Oakland Road
- Update on the town pool opening June 8 and the reason it's so late is because the town hires a lot of college students for personnel and they become available after June 1st.
- The new vactor truck lease/purchase documents are being worked on.
- Fire training
- Thanking Selectwoman Gilman for her work on the Memorial Day Parade
- Victoria Arlen signed picture which will be hung in the Nowak Room in Exeter.
- Selectman Ferraro asked Mr. Dean to address jaywalking in the town and Mr. Dean said he would bring it up to Chief Kane.

f. Legislative Update

No legislative update to report.

g. Selectmen's Committee Reports

Selectman Ferraro reported Planning Board met and discussed TIF. He said he has Planning Board next Thursday (June 13) and Water and Sewer Committee next Wednesday (June 12).

Vice Chairman Chartrand attended the meeting of the Tax Increment Finance Work Group. He said the group is preparing for their presentation for the Selectboard. He also mentioned he participated in the Memorial Day Parade and thanked Selectwoman Gilman for her work on it.

Selectwoman Gilman thanked all who participated in the Memorial Day Parade. She said the 375th met and went over the budget. She also talked about Women in GOP meeting in June, saying there was a meeting at the Congregational Church on June 14 at 6:00 pm and a Tea Party and Garden Tour on June 22 from 2-4 pm.

Selectman Quandt said he had nothing to report but thanked Selectwoman Gilman for her work on the Memorial Day Parade.

Chairman Clement thanked Selectwoman Gilman for her work on the Memorial Day Parade and ceremonies. He mentioned that the town clerk is moving temporarily to the Wheelwright Room so the current office can be redone. He talked about an invitation from Brentwood to attend a regional meeting on June 5, but wasn't sure of the time.

j. Correspondence

Chairman Clement went talked about the following correspondence:

- Restoring the L-Chip funding
- A letter from Exeter Farms
- An email from Kate Cook
- A note about funding
- There is a Selectman's work session this Friday, June 7, 2013 in the Nowak Room.

7. Review Board Calendar

The next scheduled meeting will be June 17, 2013.

A Motion was made by Vice Chair Chartrand and seconded by Selectman Quandt to go to a non-public session under 91-A:2, exceptions A, C, and E. On a roll call vote, the motion carried – all in favor.

The Board emerged from non public session at approximately _____ p.m.. (Selectman) moved to adjourn, seconded by (Selectman). The Board stood adjourned.

Respectively submitted,

Nicole McCormack
Recording Secretary