

Draft Minutes

Exeter Board of Selectmen Meeting

July 29, 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.

3. Proclamations

a. Exeter High School Baseball Champions

Chairman Clement went right into a proclamation, recognizing the Exeter High School Baseball Champions. He turned the floor over to Coach McQueen, who introduced the present baseball team members. He talked about what a great season it was and said he was appreciative for all the support. He said he was proud of his team, saying they represented themselves, their families, friends, and town very well. Selectwoman Gilman read the proclamation, congratulated the team and coach, and presented them with a plaque.

2. Public Comment

No public comment.

3. Minutes & Proclamations

a. Regular Meeting: July 1, 2013

A Motion was made by Selectman Ferraro and seconded by Selectwoman Gilman to add the following amendment to Page 1, last paragraph:

“Mr. Griset had issues with the legality of the meeting which took place in the Wheelwright Room. He stated that between 6:20 and 6:30 the Board left the Nowak Room without comment to the public in attendance and conducted a meeting downstairs at 6:30 in non-compliance with the law. He said that the agenda posted on the town’s website stated that the meeting would start at 7:00 in the Nowak Room. He said that the Board was not in compliance with the law since they did not follow the posted public notice. Chairman Clement said the Board took a vote downstairs to go into a non-public session. Mr. Griset said the meeting downstairs was illegal. He asked the Chair to retake votes at this time. Mr. Clement said he would not. Selectman Quandt mentioned it is up to the Chair to declare where the non-

public meetings are held. Mr. Griset asked why they left the Nowak Rook for their non-public meeting. Chairman Clement answered that they are always held in the Wheelwright Room. Mr. Griset asked the Chair if he and the Board had the authority to meet anywhere other than the public notice location. Mr. Clement answered in affirmative.” Motion fails.

A Motion was made by Selectman Ferraro and seconded by Selectwoman Gilman to add the following amendment to the Alcohol Ordinance agenda item, last paragraph:

“A majority of the Board agreed that the policy should include the names of the places where alcohol would be allowed. Applications would be vetted by the Police Chief and/or Parks Director and come to the Board for final approval and the requirement that the applicant provide an insurance certificate holding the town harmless.” Motion carried with three in favor, two opposed.

A Motion was made by Selectman Ferraro and seconded by Selectwoman Gilman to approve the minutes as amended by Mr. Ferraro’s second amendment on Public Drinking. Motion carries with four in favor, one opposed.

b. Regular Meeting: July 15, 2013

A Motion was made by Selectman Ferraro to add the following amendment to Page 3 after the last paragraph in the Groundwater Treatment Plant design agenda item:

“In response to a question from the Chairman, Ms. Perry stated that the plant was being designed for one million gallons a day with a future capacity for 1.5 million gallons per day. No second – motion fails.

A Motion was made by Vice Chair Chartrand and seconded by Selectwoman Gilman to accept the minutes as respectively submitted by Nicole McCormack, recording secretary. Motion carried with four in favor, one opposed.

4. Appointments

A Motion was made by Vice Chair Chartrand and seconded by Selectman Quandt to appoint Mimi Becker to the Commission established by Chapter 188, SB 163, laws of 2013. It is a Commission to recommend legislation to prepare for projected sea level rise and other coastal watershed hazards.

Selectman Ferraro asked if other nominations could be considered. He said this is an important Commission and would like to be nominated for it. Selectman Quandt said they could do other nominations. Chairman Clement opened the floor for any other nominations to the SB 163 Commission.

Selectman Ferraro made a Motion to nominate himself to the SB 163 Commission. No second.

Chairman Clement asked if anyone would like to speak on the first motion to appoint Mimi Becker. Selectman Quandt said Ms. Becker has a great resume, and he is confident she will do a great job and serve Exeter well. Vice Chair Chartrand said she is one of the most qualified people in Exeter for this commission.

All in favor with one abstention from Selectman Ferraro to appoint Mimi Becker to the SB 163 Commission.

5. Discussion/Action Items

a. New Business

I. Complete Streets Presentation: RPC

Selectwoman Gilman gave a brief explanation of Complete Streets and introduced Dave Werner from Complete Streets.

Dave Werner gave a detailed PowerPoint presentation. He explained what Complete Streets is; saying infrastructure can be designed to allow people on the streets to be accommodated whether in a wheelchair, on a bicycle, walking, etc. He gave different examples of this in busy cities and rural areas, even showing examples in Exeter. He talked about slowing traffic for pedestrian safety and gave statistics on how beneficial slowing the traffic flow in areas with pedestrians can be.

Mr. Werner went on to talk about all the significant benefits of adopting this policy. He gave some reasons for adopting it, saying it will save money and be a good change in practice. He showed the ASCE's policy and surrounding areas (i.e. Concord) policies. He ended by giving sources to find more information about this.

Vice Chair Chartrand said he appreciated the presentation. Selectwoman Gilman recommended Mr. Werner goes in front of the Planning Dept. Mr. Dean asked if this is something that would mean the Town is in a better position to get grant funding. Mr. Werner said it benefits the town to think about this and develop a policy of some sort. He said the State DOT doesn't grant funds as easily as they don't deal with pedestrians often.

Chairman Clement asked if any smaller communities like Exeter have adopted a policy. Mr. Werner answered not in NH, but there are many across the country. Chairman Clement thanked Mr. Werner for his presentation.

II. Jady Hill Area Sewer Project Update

Jennifer Perry, DPW Director, said the project is winding down. She said this is a project with a \$5 million investment designed to improve drainage and reduce inflow and

infiltration. She said the design has been a success. It has been a difficult job to work literally in people's front yards. They are working hard to make it "pain free". She went on to say they have completed 90% of the budgeted project; now just working on final landscaping and such. She said digging and construction is complete. She reported there have been no CSO's this year. They are finalizing what people owe in regards to sump pump replacements. There are 111 homes recommended for replacement. Out of the 111, 11 declined and 100 replaced. Out of the 100 who replaced, 55 opted to participate in the town's 10 year payback plan and 33 opted to pay lump sum up front. She is going to issue letter to the property owners to tell them the work they need to complete.

Vice Chair Chartrand, a resident of Jady Hill, said the workers have been outstanding. He thanked Ms. Perry for their work.

Chairman Clement addressed a couple "rumors" he had heard around town. The first being that the project was way over budget. Ms. Perry answered that is false and they are only at 90% of budget spent. Chairman Clement wondered if there are any easements for drainage and Ms. Perry answered there is. Chairman Clement thanked the residents of Jady Hill and said it's been a long project. He gave thanks to the Exeter DPW as well.

Mr. Dean talked about what contributed to the budget. He gave thanks to Ms. Perry and her group, saying it is a major upgrade.

Selectman Ferraro thanked the residents and said he is looking forward to a successful completion. He asked about the 11 that declined to replace their sump pumps. Mr. Dean said the town is giving them every opportunity to participate.

Ms. Perry went on to say the town has spent \$300,000 for the installations, recovering 27% of the cost of that with the town payback plan.

Brian Griset asked if the pipeline has changed the direction of flow, and if so, how much did it cost. Chairman Clement said they would get back to him on those questions.

III. Portsmouth Ave Water/Sewer Project Traffic Control Plan

Jennifer Perry talked about the project. It is a \$1.12 million project, predominately being sewer. She said they are finalizing the design and construction starts this fall. She showed a map of the proposed traffic plan. Basically, there are two options for the traffic control plan. The first being night time construction, but this will be more expensive and take longer. The second option being a longer detour. Ms. Perry showed a map to this effect.

Ms. Perry told the Board she does need to finalize decisions on the traffic control. She said the construction absolutely needs to happen because there are collapsed sewers and it will take place in September, October, and November.

Selectman Quandt asked if she was looking for a decision that night. Ms. Perry said she wasn't but needed a decision soon. Vice Chair Chartrand said while neither option is ideal, he would prefer night time construction. Chairman Clement asked how much longer/more expensive night time construction would be. Ms. Perry answered she has no numbers, it's just the general consensus. Selectman Ferraro mentioned he was worried the detour would call for some complaints from certain institutions because people might take short cuts. Chairman Clement said he was just hearing about this for the first time and he would like some time to think about it. Selectman Quandt said he would choose the detour. Selectwoman Gilman reluctantly voted for night time construction. Chairman Clement said no option is attractive and they will both be disruptive.

Ms. Perry said that because of some interruption of water services, some night time work would have to be done. Selectman Ferraro asked if Chief Kane could come up with a third option. Chairman Clement said he wasn't sure there could be another option but he needed to digest these options. Ms. Perry said she needs a decision at the next BOS meeting.

IV. Primex Board Goals Report – June 7, 2013

Mr. Dean said Primex had come back with their report. He talked about the goals Primex had laid out as of the BOS meeting in June. Chairman Clement pointed out Goal #3 because of a September 1 deadline associated with the goal. Mr. Dean said he would bring some models to the next meeting. Chairman Clement asked Mr. Dean to present the model variations on the economic development position on August 12.

b. Old Business

I. Bid Award: Colcord Pump Station Generator

A Motion was made by Vice Chair Chartrand and seconded by Selectwoman Gilman to award the bid for the Colcord pump station generator to Ewing Electrical Company for \$32,700. Motion carried – all in favor.

ii. Second Reading: Epping Road Extension Parking Ordinance

Mr. Dean said Chief Kane went to Derek's Automotive and talked to the owner. The Chief put a memo together after the meeting. He spoke with Mr. Winter about what he wanted changed in the parking ordinance. Mr. Kane agrees that there should be parking restrictions on the street. Mr. Kane took pictures of the area, which are located in the packet. One request Mr. Kane had of Mr. Winter was that he get rid of some of the cars he has there. The Board felt comfortable with Chief Kane's memo acting as the second reading.

iii. Social Media Policy

Mr. Dean said all departments are affected by this policy except the library. He tried to keep the policy simple and positive in approach. Mr. Dean went through the draft policy he developed.

Selectwoman Gilman asked about Procedure 5.2, asking if the wording should read “facebook/social media” so other social media sites would apply. She also asked if facebook had to be trademarked. Selectman Ferraro talked about Procedure 5.9, asking to change “facebook” to something more generic. He suggested changing all “facebook” to “social media”. Chairman Clement asked if 5.9 was needed at all. Mr. Dean said yes in case something needs to be reported. Selectwoman Gilman pointed out that there is nothing in the policy about soliciting funds. Mr. Dean said the social media sites are for town purposes only. Chairman Clement summarized, saying the only two changes would be generalizing “social media” on 5.2 and 5.9.

A Motion was made by Vice Chair Chartrand and seconded by Selectwoman Gilman to adopt the policy with the amendments discussed. Motion carried – all in favor.

iv. Amendment to Commerce Ordinance: Alcohol Consumption on Town Property

Mr. Dean said Concord is the community that has the most bases covered, so the amendment was modeled after Concord. Mr. Dean read Amend Chapter 8 – Commerce Regulations – Exeter Town Ordinances.

Selectwoman Gilman said that because state licensing rules apply, she is comfortable that all public areas apply to this. Vice Chair Chartrand said he trusts the judgment of the officials involved. Chairman Clement asked if limiting sites where licensing of alcohol is allowed was being suggested. Selectman Ferraro said he is not familiar with the state regulations and would like to look more at them. He would like 809.3 to include insurance and thinks all decisions should come to the Board for approval. Vice Chair Chartrand said the Board does not need to be involved unless the Town Manager’s office feels it needs the Board’s help. Selectwoman Gilman agreed, saying there needs to be a place for people to appeal their applications. She said if the Board is the final say, then they will be voting on their own vote.

Selectwoman Gilman said she would like 809.4 to be changed from “between the hours of 10...” to read “for the hours of 10...”.

Mike Schidlovsky from the Chamber of Commerce spoke, asking to define “voluntary non-profit organizations”. Mr. Dean said RSA 292 defines “voluntary non-profit organization” and said he would send the RSA to Mr. Schidlovsky.

6. Regular Business

a. Bid Openings /Surplus Declarations

Mr. Dean reported no bid openings/surplus declarations.

b. Tax, Water/Sewer Abatements & Exemptions

A Motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve an abatement for Map 47, Lot 1, Unit 1 in the amount of \$31,194.72. Motion carried – all in favor.

Mr. Dean said 156 Front Street is in a position to sell. He would like to get permission to put to bid with a minimum bid of \$55,807. Selectman Ferraro asked why it took 2 years to get to the point to sell. Mr. Dean answered he had to go through a long process and it took a long time to get from point A to point B.

A Motion was made by Selectman Quandt and seconded by Vice Chair Chartrand to sell the property under a sealed bid for a minimum bid of \$55, 807.59. Motion carried – all in favor.

c. Permits and Approvals

Mr. Dean said Ian's Grille is not operating. There is a permit application in the packet for Ian's from the new buyer. Mr. Dean also talked about a letter from the State Police Criminal Records Unit. The letter pertains to Hawkers and Peddlers and says all people asking for permits to do such must have a background check first.

Selectman Ferraro suggested acting on the permit and ask for a summary from Chief Kane.

A Motion was made by Selectman Quandt and seconded by Vice Chair Chartrand to grant the permit application as submitted by Mr. Rodriguez. Motion carried – all in favor.

d. Town Manager's Report

Mr. Dean talked about the following:

- Gave an update that they are still continuing the interview process for the open town employment positions
- Going back and forth with DOT regarding Welcome Center Project. He attended a meeting about it last week. He will report back soon.
- TIF work group continues, they had a meeting Wednesday, July 31. Meeting with the Planning Board next week on CIP.
- Wastewater Treatment Plant

- Town Hall work well under way and continues to encourage BOS to take a tour and see how it's coming along.
- Groundwater Plant is being rated at 1.56 million gallons a day with the potential of 2.06 million gallons a day as clarified and corrected by Ms. Perry.

e. Legislative Update

None.

f. Selectmen's Committee Reports

Selectman Ferraro reported no meetings but said Water/Sewer is meeting August 7 and Planning Board is meeting August 8.

Vice Chairman Chartrand reported no meetings but went on a tour of the Town Hall and said it is going well. He gave thanks to Mr. Dean.

Selectwoman Gilman said the Historic District Commission met. She gave thanks to everyone for attending the American Independence Festival. She said 375th made \$800. She is also asking the Chair to sign a letter supporting a grant application for the NH Arts. A Motion was made by Vice Chair Chartrand and seconded by Selectman Quandt to ask the Chair to sign the letter on behalf of the Board of Selectmen for the grant. Motion carried – two abstentions.

Selectman Quandt thanked Selectwoman Gilman for her part in the American Independence Festival. He said the Swazey Trustees will meet July 31 at the DPW in the conference room.

Chairman Clement reported the Exeter/Stratham Technical Subcommittee met, talking about tech concerns. He attended a CAPE citizens working group at the senior center. He attended an Eagle Scouts ceremony. He is going to see if the art show can be there.

j. Correspondence

Chairman Clement talked about the following correspondence:

- Letter to Chief Kane expressing gratitude to a patrolman.
- Letter from Mr. Robbins saying he is not in favor of the TIF
- Letter from Peter and Sherrie Goss
- Letter from Meals on Wheels thanking the Board for a donation
- Memo from Comcast
- Request from Brian Griset regarding the minutes
- Correspondence between Selectman Ferraro, Chairman Clement and Mr. Dean about meeting postings under RSA 91-A.

7. Review Board Calendar

Chairman Clement said the next BOS meeting will be August 12. He would like the following to be on the agenda:

- 2nd Reading about Epping Road Ext.
- Alcohol policy
- DPW detour decision
- Models for economic development goal
- Quarterly Financial report
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A Motion was made by Selectman Quandt and seconded by Vice Chair Chartrand to adjourn the meeting at 9:45 pm. Motion carried – all in favor.

Respectively submitted,

Nicole McCormack
Recording Secretary