

Draft Minutes

Exeter Board of Selectmen

February 10, 2014

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 Selectman Frank Ferraro, Selectwoman Gilman, and Selectman Matt Quandt. Town Manager Russell Dean was also present. Vice Chair Chartrand was absent.

2. Public Comment

Dennis Brady, Exeter resident, said he had two requests for the Board. First, he read the RSA pertaining to minutes and when they are to be posted. He said the minutes from the deliberative session were not posted yet and re requested a copy. Chairman Clement said the Town Clerk is working on that and he suggested Mr. Brady come to the town office the following day for a draft. Next, Mr. Brady asked the Board to always second motions made so they are opened for discussion. He said it is important for the public to know the Board's stand on matters.

Lee Quandt spoke on behalf of the VFW and said they would like to make a donation to the town. He talked a little about the VFW and said they want to donate teddy bears to the town's ambulances for when they transfer children. He introduced Commander Langdon who explained why they donate teddy bears. He said it helps relieve the stress the kids are feeling in the ambulance. He gave one to Ken Berkenbush and said he would deliver the rest to the fire department.

Brandon Stauber spoke, inquiring what the follow-up steps would be regarding the all boards meeting. Chairman Clement said as soon as the elections are over they would discuss having another all boards meeting to move forward. Mr. Stauber said he felt slighted that no action had been taken to follow-up that meeting. He asked the BOS to get it going.

3. Minutes & Proclamations

a. Regular Meeting: January 21, 2014

Selectman Ferraro had an amendment to page 9 adding "to one organization over another" to the end of paragraph 8. Chairman Clement had an amendment to page 9, paragraph 3. The last sentence should read "Chairman Clement said he is not comfortable with

doing this. “ Chairman Clement had another amendment to page 4, paragraph 9 changing “Lampert” to “Lambert”. A Motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve the minutes of the January 21, 2014 BOS meeting as amended. Motion carried – all in favor.

b. Regular Meeting: January 27, 2014

A Motion was made by Selectman Quandt and seconded by Selectman Ferraro to approve the minutes of the January 27, 2014 BOS meeting as presented. Motion carried – all in favor with one abstention from Selectwoman Gilman.

4. Appointments

Selectman Ferraro asked the Board to forgo the interview process with Bill Campbell, as he has been involved with boards and committees previously and is well known. A Motion was made by Selectman Quandt and seconded by Selectman Ferraro to appoint Mr. Bill Campbell to the Conservation Commission as an alternate. Motion carried – all in favor.

5. Discussion/Action Items

a. New Business

I. Sportsmen’s Club: Berm Plan

Ken Berkenbush said he was in front of the Board to talk about the remedial action plan pertaining to the Sportsmen’s Club. The town and the Club have come to an agreement. The first thing that needs to happen is sound testing. He went through how this is going to be done. He said he had a meeting with Gary Garfield to discuss what kinds of weapons would be used for this. The Town of Exeter is responsible for the cost.

The next task to be done is tree removal. The Club has to remove some trees to construct their berm. The Club is responsible for this cost.

Silt fence instillation is the next task, of which the Club will be responsible for the cost.

The next task is removal of clay targets. The town is responsible for the cost of the dumpster/disposal. The Club will be responsible for the contractor loading.

Removal of soil into berm is next. The Club is responsible for the cost with a 15’ removal limit.

Replacement of soil is the next task. The town provides the soil and the Club will be in charge of hauling it. Jay Perkins would like to load trucks with the towns own loader.

After all this is completed they will be doing sound testing again. And then finally report testing which will be the responsibility of the town.

The Club wanted a start date so April 15 will be the sound testing. All other items can start April 16.

Turbidity came up in discussion. Gary Garfield suggested using the readings from the water treatment plant. It is the only place that has historical data.

Mr. Berkenbush said he asked town counsel who was responsible for the solid waste at the Club prior to the lease and who is responsible after the lease. Counsel said the town and the Club share equal responsibility for solid waste. He asked counsel about past practice, saying just because the town cleaned the stream one time does that mean they have to every time? Counsel said no.

Chairman Clement opened the discussion to the public.

Dennis Brady asked if there is a goal for the second set of sound testing. Mr. Berkenbush said it is to show reduction and see what the berm provides for sound relief.

Beth Brosnan spoke, asking where the exact locations are for the sound testing. She is hoping the neighbors can give some input. Also, at the 7/12/12 Planning Board meeting Mr. York said the objective was to mitigate noise by ten decibels. She said that would go a long way for fulfilling the Club's promise to be good neighbors. Ms. Brosnan also wondered what additional steps can the Club take to get up to a ten decibel decrease if the results aren't there after the second testing.

Mr. Berkenbush said Allen Street, Windermere Lane, and Thornton Street area is where testing will be done.

Selectman Ferraro said Mr. York said it was their objective to mitigate the ten decibels, not a promise. He said if they are unhappy with the numbers after the testing then they will take it from there. His goal is to mitigate the noise as much as is practical.

Jim Similjan talked about the plan process. He said he wrote the Board a couple weeks ago to express his frustration with the protocol. He said he was not able to provide any input in the plan. Selectman Ferraro said this was not so in the final draft. He said Mr. Similjan was asked on more than one occasion if he had anything to offer and chose not to participate. Selectman Ferraro thinks this is a good plan. It shares responsibility for getting several things done. Mr. Similjan said he just does not want to be a part of it as he didn't add anything. Chairman Clement asked him if there is anything that is left out that he would like to add. Mr. Similjan said he is not saying it is a bad agreement, but he can't claim part ownership.

Ms. Brosnan said Mr. Berkenbush gave important information and she was seeking about liability. Mr. Berkenbush said he should have a written agreement between the Club and the town outlining this proposal.

A Motion was made by Selectman Quandt and seconded by Selectman Ferraro to approve the Exeter Sportsmen's Club Site Phase One plan as presented by Mr. Berkenbush and a written agreement be made between the Sportsmen's Club and the Town of Exeter. Motion carried – all in favor.

II. Urban Exemption Application

Mr. Dean talked about the town applying to DES for the Urban Exemption program. It would exempt from state filings that would have to be made in certain urban areas. It would have to be supported by the BOS. He talked about other towns that have this Urban Exemption.

Jeff Caban, from TFM, provided a map with recommendations of an urban exemption area. He explained that if there were to be small additions in this area, decks and such, they would be exempt from having to go through the state; they would just need to go through the town process. If the town requests urban exemption, they could tweak the overlay depending on vegetation and such or what is in the area. He said urban exemption just makes the process easier because you do not have to go through the state.

Looking at the map, Selectman Ferraro suggested including a portion of River Street that goes down to the PEA. Mr. Caban said the map is just a suggestion and the town can give more suggestions.

Chairman Clement said in this proposed area all vegetative buffers have not been depleted. This area is the head of the tide. It is the spawning area for multiple species of fish. It is important to keep water quality good. He is afraid there could be some future negative impacts. He said he would be reluctant to approve this.

Mr. Caban said the urban exemption area is designed to affect an area that is highly developed. He went on to say he thought this was a reasonable idea to present.

Selectman Quandt said he is stepping back from the process.

Chairman Clement said he would like to get the Conservation and Exeter Squamscott Committees inputs.

Selectman Ferraro said he would like to think some more about this and suggested possibly putting it on the next agenda so they can get those other Committee's inputs.

The Board told Mr. Caban they would let him know when they put it in the agenda again.

b. Old Business

I. Lincoln Street First Reading 2 Hour Parking

Chairman Clement read the proposed amendment to the Chapter 1 Parking Regulations. The new ordinance would add section 103.1 Two-Hour Parking Limit. A Motion was made by Selectman Quandt and seconded by Selectwoman Gilman to open public hearing for the ordinance change. Motion carried – all in favor. Selectwoman Gilman asked if this is just the short-term recommendation. Chairman Clement said yes, this is the short-term solution from Chief Kane.

Selectman Ferraro reminded that if Burnham Cleaners is included in this two-hour limit it would not be good for business. Their customers doing laundry would sometimes need to be there longer than two hours. Chairman Clement said a map of the area would be helpful. Mr. Dean said he could provide that. Selectman Quandt said he is not opposed to going from Burnham and down.

Selectman Ferraro asked if they should add Tremont to the two-hour limit.

Chairman Clement said the long-term is finding a true solution to accommodate the train rider without impacting businesses and residential, and this is a start.

Selectwoman Gilman said they have to make clearing the roads from the snow a priority.

A Motion was made by Selectman Quandt and seconded by Selectwoman Gilman to close the public hearing. Motion carried- all in favor.

So, Chairman Clement said they would look at excluding Burnham Cleaners and Mr. Dean said he would bring a map next time.

II. Deliberative Session Follow Up

Chairman Clement said Mr. Dean added the ballot and warrant to the packet. Mr. Dean said there were three articles amended: Article 17, Article 20, and Article 23. Selectman Ferraro asked what the amendment was to Article 17. Chairman Clement said the wording was changed. Selectwoman Gilman had the original draft warrant and explained the amendment.

A Motion was made by Selectman Quandt and seconded by Selectwoman Gilman to recommend Article 17 as presented which was amended by the deliberative session. Motion carried – with a 3-1 vote and one abstention.

6. Regular Business

a. Bid Openings/Surplus Declarations

None.

b. Tax, Water/Sewer Abatements & Exemptions

A Motion was made by Selectwoman Gilman and seconded by Selectman Ferraro to approve the disability exemption for map 60, lot 9 in the amount of \$125,000. Motion carried - all in favor.

A Motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve two veteran's credits both in the amount of \$500 for map 66, lot 6, unit 316, and map 68, lot 6, unit 548. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve the elderly exemption for map 32, lot 12, unit 5 in the amount of \$152,251. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Selectman Quandt to deny two abatements for map 68, lot 6, unit 515 and map 74, lot 78, unit 16. Motion carried - all in favor.

c. Permits & Approvals

A Motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve the permit for use of the Town Hall by Felicia Leighton-Ibbotson for a Tai Chi Chuan Workshop on September 6 and 7. Motion carried – all in favor.

A Motion was made by Selectwoman Gilman and seconded by Selectman Quandt to approve the use of the Town Hall by The Heron Group for art/music or movie on December 5, 6, and 7 with the time TBD. Motion carried – all in favor.

d. Town Manager's Report

Mr. Dean talked about the following:

- The Town Clerk is looking into marriage license fees. There is no charge now. There should be a proposal next meeting.
- The Town Hall flooring is complete and everything is on schedule.
- The EDC will be sponsoring a business after hours on April 18.
- The Town Assessor announced his retirement. They are looking for more options for a new assessor. He has been with the Town since 1988.

e. Legislative Update

None.

f. Selectman's Committee Reports

Selectman Ferraro had no committees to report but said he attended the River Study meeting at the library on February 6. He said it was well attended and he learned a lot. River Study will do two river walks on Feb. 22 and March 8. He also said water/sewer will meet Wednesday night and Planning Board will meet Thursday night.

Selectwoman Gilman had no committees to report but is attending the Economic Development Committee the following day.

Selectman Quandt had nothing to report.

Chairman Clement said he also attended the River Study meeting at the library. It was a very good meeting. Conservation Committee will meet tomorrow. He said he has been attending the CAPE meetings.

g. Correspondence

The following correspondence were included in the packet:

- A letter from Jay Couture of the Seacoast Mental Health Center
- A letter from Dover City Manager J. Michael Joyal
- A Personal Notice from the Town of Epping Planning Board
- An EXTV monthly report

7. Review Board Calendar

Chairman Clement said the next BOS meeting will be February 24, 2014.

A Motion was made by Selectman Quandt and seconded by Selectwoman Gilman to go into a 91-A non-public session for a fee waiver at 8:50 pm. Motion carried – all in favor.

Respectively submitted,

Nicole McCormack
Recording Secretary

