

Draft Minutes

Exeter Board of Selectmen

October 19, 2015

1. Call Meeting to Order

Chairwoman Julie Gilman called the meeting to order at 7:00 pm in the Nowak Room of the Exeter Town Offices building. Other members present were Vice Chair Don Clement, Selectman Dan Chartrand, Selectwoman Nancy Belanger, and Selectwoman Anne Surman. Town Manager Russell Dean was also present.

2. Non Public Session – RSA 91-A:3 II (a, b, d)

The Board reconvened after a 6:30 non-public discussion.

3. Board Interviews

The Board had interviewed Dan Gutstein for a position on the Economic Development Commission.

4. Bid Openings/Awards

There were no bid openings or awards.

5. Public Comment

Bill Campbell said Mr. Jutton had made some good observations and recommendations in his analysis. However, he said the bumps in the road Mr. Jutton referenced are only temporary. Historically, Exeter has had development. He doesn't think so much blame should be put on the Planning Board and Planning Department. He asked how so much development has happened if the Planning Department is "known to be difficult to work with". He said the Planning Board should not take a hit for lack of development in town because there has been development. The development on Epping Road is not going to be easy. The Master Plan update will be helpful. He asked where they are on the Master Plan update. Mr. Dean said Mr. Sinnott has the data for Chapters 1 and 2 in near final form. Mr. Campbell said he hopes there can be some public input before they are completed. Chairwoman Gilman said Mr. Dean's comments relate only to the data, and said the public will be involved. Mr. Campbell asked what is going on with the Housing Committee. Chairwoman Gilman said it is established. Mr. Dean said it does have a few members. Selectwoman Belanger listed off the positions for the Committee, and said since they don't have all the positions filled they have not met yet. Regarding the Master Plan, Vice Chair Clement said they allocated budget money to do the

Chapters 1 and 2. He said that was started back when the Town Planner was still here. He said this process has taken too long. They need to make more progress. He said the Planning Board needs to engage and they need to start getting public input.

Dan Chartrand spoke as a citizen. He presented a petition with 29 resident signatures regarding starting a Charter Commission. He referred to RSA 49:B, which is about the adoption of a municipal charter. He said if the signatures are warranted, then an item may be put on the Town Warrant to establish a Charter. Vice Chair Clement said the town operates under SB2 and State RSA's.

Mike Dawley said one month ago he asked about the status of an economic development update. He said he was told it was in the works. Now he found out there is no such thing. He asked what is going on with this. Mr. Dean said Darren Winham has been working on an Economic Development Strategic Plan. He said it is on top of his list of priorities. Vice Chair Clement said he recalled Mr. Winham saying he was working on the Economic Development Strategic Plan and that was almost a year ago. He asked why they don't have it yet. He said he is not sure when they will get it. Mr. Dean said it is a priority that needs to be accomplished and that Mr. Winham's views have been modified since he started in his position. Mr. Dawley said they should not be here with nothing.

Don Rolland, Exeter resident, spoke saying he was thankful for Mr. Campbell's comments.

Jim Leslie, Exeter resident, said it is a great time to present a Charter Commission to the town. He is glad Mr. Chartrand created his petition. He said he would be happy to volunteer his time to do anything with the Charter Commission.

6. Minutes and Proclamations

a. Proclamations/Recognitions

None.

b. Regular Meetings: October 5, 2015

A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to accept the minutes of the October 5, 2015 BOS meeting.

Vice Chair Clement has the following amendments: page 2, 3rd full paragraph, adding "Vice Chair Clement recused himself from the discussion of 24 Windemere" after "24 Windemere" and adding "Vice Chair Clement returned to the Board" after the Motion; page 4, last paragraph, changing "He said the town needs..." to "Mr. Jutton said the town needs...";

page 5, last paragraph, adding the sentence “Vice Chair Clement commented that what was submitted by Mr. Jutton was more of an Executive Summary.” to the end of the paragraph; page 7, last paragraph, changing the last sentence to read “Vice Chair Clement said he would feel more comfortable seeing the prior agreement and what costs were of legal support then.”; page 9, first paragraph under Selectmen’s Committee Reports, changing the first sentence to “Vice Chair Clement said he worked Hazardous Waste Day, along with three members of the Planning Board.” and adding “and Powder Mill Road” to the end of the second sentence; and page 10, changing the Motion from Vice Chair Clement recusing to abstaining.

Selectwoman Surman had one amendment to page 5, second sentence changing the last sentence to “...where people are not sure what their...”.

Selectman Chartrand and Selectwoman Belanger withdrew their Motion and second.

A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to table the October 5, 2015 BOS minutes until the next meeting. Motion carried –all in favor.

7. Appointments

None.

8. Discussion/Action Items

a. New Business

i) Quarterly Financial Report - Finance

Doreen Ravell, Finance Director, gave her report. She said the General Fund budget as of September 30, 2015 revenues have increased \$484,000, or 5%, over last September. Revenues collected are \$94 million. So, revenues are basically flat with the exception of a few categories which have increased like motor vehicle revenues increasing by \$49,000 and Building Permits and Fees increasing \$192,000. She said the State Highway Block Grant is up by \$11,000, or 7%. In expenditures, overall they have decreased by \$48,000. The Snow and Ice budget is overspent by \$168,000. She said a FEMA reimbursement is expected in the amount of \$53,000 which will offset to the cost of heavy winter storms. The Natural Gas expenditures are down \$9,000. Electricity costs have increased by \$16,000. Fuel costs have decreased by \$42,600. Debt Service is \$883,000, or 94%, paid which has increased by \$223,000 from the prior year.

In the Water Fund, revenues are basically flat. There was a slight increase of \$19,000. Water Fund expenses have increased by \$376,000 mostly attributable to debt service. Vice Chair Clement asked how water consumption held up over the summer, as it was a dry

summer. Jennifer Perry said the consumption rate is approximately the same as the prior year, it may be down slightly.

In the Sewer Fund, Ms. Ravell said revenues are down \$33,000, or 4%. Expenses are up \$24,000, but debt service has decreased \$62,000 due to prior year early retirement of bonds/notes for Outfall and Langdon Avenue Pump expenses. Mr. Dean said the debt service for the Groundwater Treatment Plant is coming in 2017, so they need to start looking at that in terms of reviewing water rates. After discussion the Board indicated they would like to see the water/sewer committee review rates before the Board takes any action.

In the EMS Revolving Fund, Ms. Ravell said revenues are down by \$60,000 due to a change in billing companies, but we continue to catch up. The general expenses have decreased by \$10,000. In the Cable Television Revolving Fund, revenues are up \$4,000 and expenses are up by \$25,000 mostly due to E-Channel Assessment increasing. Vice Chair Clement asked why the E-Channel Assessment is up by \$16,000. Mr. Dean said it is supposed to be Exeter's share of running the SAU channel. He said they are going to look into it. It could have been a delay in billing. In the Recreation Revolving Fund, revenues are down by \$5,000. Expenses are up \$25,000 mostly due to \$49,000 of concrete work for the pool and tennis court resurfacing.

On the Analysis of Property Tax/Liens Receivable, 97% of revenues have been collected and \$626,903 is the outstanding balance. Ms. Ravell said the tax rate has been set at \$25.54, which is a \$.52 reduction. Exeter's town share decreased \$.38 per 1,000 from \$7.77. On the Analysis of Accounts Receivable Water/Sewer, Ms. Ravell said she they have seen a slight decrease in receivables of 1%. One Water/Sewer customer represents 75%, or \$112,000, of the over 90-day balance. Vice Chair Clement said this account has been outstanding for over three years. He said last year the Board requested to get it collected, and asked where that stands. Mr. Dean said they have been working on it as it has been subject to a negotiation and he is trying to get it to a point where he can report back to the Board on this.

ii) Great Dam Section 106 MOA - DPW

Jennifer Perry said talked about the Memorandum of Agreement between US Army Corps of Engineers, New Hampshire State Historic Preservation Officer and the Town of Exeter Regarding the Great Dam Removal and River Restoration Project. She said this MOA has been worked through the restoration committee for a while now. This MOA has also been vetted by Town Counsel and the Army Corp.

Pete Walker, from VHB, said the process to get to this document has been extensive. They think it is ready for execution. The current draft has a sign block for Mr. Dean. He asked for any questions to be in by October 30 to the Army Corp. Chairwoman Gilman asked if there

is a time limit for review of this document. Mr. Walker said by October 30 they should get comments/questions in. He said if more time is needed, it can probably be extended a little.

Chairwoman Gilman said the next Historic District Commission meeting is the third Thursday of November. Selectman Chartrand suggested a special meeting to discuss this.

Chairwoman Gilman asked about internal distribution of the document. Mr. Walker said there is a distribution list. He said the Remembrance Committee has reviewed it. He said the Army Corp is responsible for distribution which is done by email and hard copy. Mr. Dean said it has been two days since it was emailed to the Remembrance Committee. Lionel Ingram said this has been an issue all along. He is happy with the MOA and recommended moving it along. He said the Remembrance Committee is committed to what is in the report, but he said this MOA isn't all that they have to think about. He suggested speeding up the process to meet the requirements. Vice Chair Clement said Chairwoman Gilman needs to get the same consensus from the Heritage Commission and HDC to sign the MOA.

A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger that the BOS authorize Russ Dean, Town Manager, to sign the Memorandum of Agreement between US Army Corps of Engineers, New Hampshire State Historic Preservation Officer and the Town of Exeter Regarding the Great Dam Removal and River Restoration Project. Motion carried –all in favor.

iii) Lincoln Street Utility Project: CA Contract - DPW

Jennifer Perry said CMA has been the design engineers. They signed a contract for just design and engineering back in June. This is the next phase. CMA said it will take approximately 15 weeks from construction.

Vice Chair Clement said there was a public meeting about this last week. He didn't think they did a good job getting info out to the residents about the meeting. He said some residents are concerned with doing work on Lincoln Street during the school year. Since work was started today, some residents feel nobody cared about their input. The total bond is \$1.6 million and now information came out that Tremont St. and Daniel St. will have to be left out of because they will need more money for all the work. As of July, Tremont and Daniel were part of the design. They are going to have to come up with a way to get \$314,000 to do this work now. He said it has to be done. He thinks they need to do a better job at cost estimating in the future and have better communication with residents. Ms. Perry said they do add inflation factors when cost estimating, which isn't always easy with a CIP program. She said when they retained CMA, they were becoming more aware that because of current construction climate there were not as many bidders. They suggested breaking up the project and she said they started with Lincoln Street because it has the largest water main and they selected Winter

Street because of main breaks. She also added they do very much listen to what the public has to say. She said they understand people are concerned with school time construction. She said they would look at some additional steps on public communication in the future. Chairwoman Gilman said she understands the school concerns. She said the principal has worked out a traffic route that they have been using the past couple days. She does appreciate trying to find solutions.

Selectwoman Surman asked how businesses are impacted on Lincoln Street. Ms. Perry said the businesses are notified two day in advance for any outages.

Vice Chair Clement said some people on Lincoln Street did not get a notification. She said they have to improve. He didn't put any blame on the DPW, but said they just need to find a way to control communication in the future.

Mr. Dean commented that in his 20+ years in local government, he has noticed it does occur to find a project that occasionally goes over bid. In a competitive bidding environment this can happen. He is happy with the Town's track record for bids. He said they are going to try to find a way to get this project 100% completed. Selectman Chartrand said they are lucky more projects haven't gone over bid and they have had a great track record.

A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to authorize the Town Manager to sign the Town of Exeter – Lincoln/Winter Street Utility Improvements Project Construction Phase Services Amendment to Engineering Services Agreement, dated June 4, 2015, not to exceed \$118,000. Vice Chair Clement asked if the \$118,000 is in addition to the money that was already approved. Mr. Dean said yes, it is. Selectwoman Surman asked how that ties to the \$314,000. Ms. Perry said this \$118,000 is just for construction engineering services. Mr. Dean broke down some costs, saying \$126,500 is for the design, \$118,000 is for the construction administration, and \$1,128,717.50 is the construction base bid and Alternative A. The Board voted on the Motion. Motion carried with a 3-2 vote. Surman and Clement vote nay.

iv) Planning Process Update/Next Steps – Town Manager

Mr. Dean referenced his memorandum in the packet. He said in regards to the MRI Executive Summary, MRI has proposed to extend the budget cap on the project by another \$5,000 to accommodate additional time to provide guidance and support to develop and implement a more structured and functional community development system. He said there needs to be a follow-up to MRI's recommendations, and it may be good to keep them on board longer to see some changes. Secondly, MRI has proposed entering into a separate agreement for \$5,500 to handle recruitment and selection process for the next Town Planner. He said this would help recruit a strong pool of qualified candidates. It is worth the Board's consideration.

Selectman Chartrand said on Part A, he is a big fan of the Preliminary Report. He said he would like to see MRI stay on board to provide additional guidance and support. He is in favor of this.

Vice Chair Clement said this is a project creep. He said they have not even gotten a report from MRI, they got an Executive Summary. He said it has been almost 4 months and they still do not have a final report. He wondered why they would spend another \$5,000 to someone who should have included this in their initial work anyways. He is not in favor of this.

Selectwoman Belanger said she would like to see a final report. She said this is premature until they see what is in a final report.

Selectwoman Surman said once they get a final report then if they decide to move forward with MRI, they can decide then. She is not in favor of spending any more money until they have the final report.

Mike Dawley said he spoke to Don Jutton that day and he said they need to wait until they have a Town Planner to see what they need to do next.

Chairwoman Gilman agreed they should wait until they have a final report.

Selectman Chartrand said on Part B, the recruitment, he is in favor.

Vice Chair Clement wondered if they can really afford to go another 90 days with no Town Planner. He asked what they will gain by outsourcing this. He said he was sure they could get a lot of good recruits themselves. He said they are fully capable of conducting a search without spending \$5,500. They cannot continue on without a Town Planner.

Mr. Dean said MRI would work with the town. The town is not shut out of the process.

Selectwoman Belanger asked when they would be getting the final report. Mr. Dean said within a 1-2 week window. Selectwoman Belanger said the hiring process is a process. She is concerned that what happened with the hire of the Economic Development Director will happen again here. She said it might be better to turn this over to MRI.

Selectwoman Surman said she thought they were going to post for the Town Planner position after the Board's last meeting. She said hiring a person is also about how a person fits into the organization, which is something the Board could help with.

Bill Campbell said when he was a Selectman, he was involved in the hires of three senior employees in town, and they are all still here, so he thinks the town is capable with this hire too.

Mike Dawley said Mr. Jutton is on a 6 month leave of absence, and would be working remotely if hired for this additional work. Mr. Dean said he would be working remotely until December, when he would be back for the actual hiring. He said if this was a problem, he wouldn't consider working with him.

Selectman Chartrand said however long it takes to get the right person for the position is how long it should take. He said the BOS should not be involved directly with the hiring of this person. He said MRI's report creates new reality and be uniquely suited to fine someone to fit the new reality. He said this is critical and the Town Manager needs this assistance.

Vice Chair Clement said it is not uncommon for the BOS to interview to give the townspeople an overview. He said they can do this hiring. He said Mr. Jutton has told them what they need in a Town Planner. They know where the weaknesses are and what is needed to correct it.

Mr. Deans said he would prefer to have them involved in this process. He said he is comfortable with having MRI recruit qualified applicants.

Selectwoman Surman said they should post the job ASAP. She is not in favor of hiring MRI to do this.

Chairwoman Gilman said they should definitely put an advertisement out there. She is concerned with what the process will be if they do not go with MRI. She asked the Board for proposals of how to proceed here by the next BOS meeting. Vice Chair Clement asked how they should give their input. Chairwoman Gilman said the Board should send suggestions as she wants to be able to present a full package of how to move forward.

Mr. Dean said he would be posting the job the next morning.

b. Old Business

i) CATV Special Counsel Contract – Town Manager

Chairwoman Gilman said Mr. Dean put together a memorandum to answer any questions the Board had regarding this contract. Mr. Dean said the hourly rate for DTC is very reasonable.

A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to authorize the Board of Selectman Chair, Julie Gilman, to sign the Special Counsel Representation Agreement on behalf of the Selectboard. Vice Chair Clement said he was disappointed they did not have the legal contractor used before to compare. Selectwoman Surman said she thought this was premature, as she thought there would be a Committee.

Selectman Chartrand thought they should just adopt this contract and move forward. Chairwoman Gilman said they should get the services going. With a Motion on the table, the Board voted. Motion carried –all in favor.

9. Regular Business

a. Tax, Water/Sewer Abatements & Exemptions

A Motion was made by Selectwoman Belanger and seconded by Vice Chair Clement to approve the Jeopardy Warrant for map 104, lot 79, unit 611 in the amount of \$112.06. Motion carried – all in favor.

Paul McKenney and Scott Marsh, from MRI, were present to answer any questions regarding the Riverwood’s abatement issue. They said an appeal has been filed. The hearing could be a year away. There was abatement granted in the 2014 tax year. Selectman Chartrand asked if they are going in front of the BTLA for a 2014 tax abatement which was granted. Mr. McKenney said it was granted, but they were not happy with the outcome. Selectman Chartrand asked if 2015 has been corrected. Mr. McKenney said it has and as far as he is concerned 2014 was corrected with abatement. Selectman Chartrand asked if Mr. McKenney was urging no action and letting this roll to the BTLA. Mr. McKenney said yes. Vice Chair Clement said he was comfortable with the process going forward.

Abatement Requests:

3 Salem Street – Mike Jeffers said the applicant has reviewed the abatement process and has withdrawn.

4 Liberty Lane – Richard Eldor was present to speak. He said after being gone for 47 days, he noticed his water wasn’t shut off. He proposed paying his water portion of the bill, but not sewer. He explained how he came up with his abatement request. Mr. Jeffers said 13 others had similar problems because of the cold winter. He recommended abatement be granted. A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to rescind disapproval for 4 Liberty Lane. Motion carried –all in favor. A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to approve abatement for \$153.96 for 4 Liberty Lane. Motion carried –all in favor. Selectman Chartrand asked Mr. Jeffers to reach out to the 13 others who had this similar problem.

1 Ridgewood Terrace – Mr. Jeffers said he went out and met with the property owners several times. He doesn’t see how abatement can be given when the problem was with the gas company. A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to disapprove abatement for 1 Ridgewood Terrace. Motion carried – all in favor.

b. Permits & Approvals

A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to approve the application for use of the Town Hall by Evelyn Orr for an Exeter Women's Club antique appraisal on October 9, 2016 from 12pm-5pm. Motion carried – all in favor.

A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to approve the application for use of the Town Hall by Evelyn Orr for an Exeter Women's Club Asian silk and silver sale on November 20, 2016 from 10am-5pm. Motion carried – all in favor.

c. Town Manager's Report

Mr. Dean talked about the following, which was included in the packet:

- The Transfer Station is now operating on winter hours through December 15
- Parks/Rec Pumpkin Carving at the Senior Center on October 20 at 3:30pm
- The "all day" Budget Rec. Committee meeting on October 21
- The Halloween Parade on Friday, October 30 and Trick or Treat on Saturday October 31 from 4-7pm

10. Review Board Calendar

The next BOS meeting will be November 2, 2015. Chairwoman Gilman told the Board the Historic District Commission was awarded another \$6000.

11. Adjournment

A Motion was made by Selectman Chartrand and seconded by Selectwoman Belanger to adjourn the meeting at 10:12pm. Motion carried – all in favor.

Respectfully submitted,

Nicole Piper,

Recording Secretary