

1, 2. Convene the regular meeting/Introduce members of the Board

Chairman Ingram convened the Board at 7:00PM in the Nowak Room on the above date. He introduced the members of the Board also present: Robert Eastman, Paul Binette, Joseph Pace, William Campbell and Town Manager Russell Dean.

3. Minutes: 9/12 and 9/19 meetings.

Mr. Binette moved to accept the minutes of the September 12th and September 19th meetings as submitted; second by Mr. Pace. Mr. Eastman noted the minutes of September 12th were missing a motion which he has confirmed with Barbara Blenk. The motion, following up on the discussion of reassessing properties, was: "Mr. Campbell moved to conduct the process; second by Mr. Pace. VOTE: 4-1". ***Mr. Binette amended his motion to accepting the minutes of September 12th "as amended" and Mr. Pace amended his second. VOTE: Unanimous.***

4. Bid Opening(s): Waste Water Pump Stations Siding & Trim Repair; 2005 Annual Report.

Pump Station Siding & Trim Repair: Three bids were received:

Advanced Siding, Window & Sunroom Co., Exeter	\$14,280.00
York Siding Co., Cape Neddick, ME	\$12,790.00
Target, NE., Wolfeboro, NH	\$17,300.00

Mr. Binette moved to send the three bids to the Town Manager and appropriate department for review and to return with a recommendation; second by Mr. Campbell. VOTE: Unanimous. Mr. Binette asked what the budgeted amount is. DPW Director Keith Noyes thought \$15,000 but did not have his notes. It will be reported when the recommendation is presented.

Town Reports: Seven were received (attached list). ***Mr. Binette moved to forward the bids to the Town Manager and Barbara Blenk to decipher the figures and return with a recommendation; second by Mr. Pace. VOTE: Unanimous.***

5. Second Public Hearing: RSA 75:8-b regarding 2005 Town Valuation.

Chairman Ingram opened the Public Hearing at 7:15PM. He asked Mr. Dean to report on Town Counsel's report concerning posting and notice of public hearings. Mr. Dean stated Town Counsel has determined the Town is correct with the public hearing postings of 24-hour notice and we are free to proceed without action. The Board will act on the 11th.

Kathy Corson, 3 Folsom Street, stated she was frustrated with the process. She thanked John DeVittori and his office for the assistance provided but questions whether the formula used to reassess really works. Ms. Corson stated her mother's home on Meadowood is assessed at close to market value. Her home is currently assessed at \$20,000 more than others actually on High Street. How is High Street undervalued but on the mark at Meadowoods Drive? Recently, two homes on High Street sold for twice what they were assessed (assessed at \$231,000 but sold for \$610,000).

Ms. Corson noted she was told homes stay at their assessment unless permits are taken out on them. She stated 'younger' neighborhoods seem more on mark than older. If we pay Vision to, shouldn't they catch this? She just wants a fair share and wonders whether our way of assessing is working or broken? Mr. DeVittori had no comment.

Mr. Eastman noted Mr. DeVittori stated at the last public hearing that mobile homes are assessed based on neighborhoods. When reassessing the Town, does he pay attention to capes in separate neighborhoods and is this factored in. Mr. DeVittori stated land values are based on neighborhoods with proper adjustments. Buildings are factored according to market parameters of the sale and style and type. Example: All homes on Meadowoods Drive are of a similar type of home. High Street is made up of a variety of styles – multi-family, single family, commercial, etc. and it's difficult to appraise as a "neighborhood". He cannot adjust a home's value based on sale price – it is illegal.

Mr. DeVittori clarified that after the Board votes to adjust values (or not) on October 11th, he will adjust and then notice the public. This can be accomplished by the internet, Channel 11, copies of reports available at locations around Town (Library, Town Office, etc.)

Mr. Campbell noted Vision is in its 3rd year of reviewing properties. Mr. DeVittori noted they collect data but do not change values. Assessing handles the value and, though a property's value may be increased, it may still not be at the market price.

Mr. Eastman asked if capes are 9% below assessed value in Exeter, are all capes. Mr. DeVittori replied yes. So "location, location, location" is not really the issue. Mr. DeVittori noted that land values would adjust the value of a piece of property, not the building and location in that instance would affect the price. He noted the 'mass appraisals' are used in all towns, as the 6000 parcels could not be individually reviewed by 1 person. He uses a 'broad brush'. He also noted that if the market drops, a reverse process would happen and the tax base would drop.

Ms. Corson questioned if everything was proportionally, if the market drops then everything drops. If something sells for \$400,000 then taxes should be paid on that amount. There is a huge disparity and it does not make sense to her. Chairman Ingram noted the formula used may cause an issue and asked the Town Manager to speak with Mr. DeVittori on any glitches.

No further questions or statements came forward. Chairman Ingram closed the public hearing at 7:38PM. A follow-up meeting on October 11th will be held to vote on an adjustment being made.

6. First reading: Amend SOP F-05-03 regarding mileage reimbursements

Chairman Ingram reported the IRS has adopted an interim reimbursement rate for mileage of 48.5 cents per mile effective September 1st until December 31, 2005. This is in response to gas prices brought about by Hurricane Katrina. This represents the first reading of the Board's recommendation of increasing the Town's mileage rate from 40.5 to 48.5. Second and final reading will be on October 11th.

Mr. Binette questioned the use of some employee's private vehicles for Town activities, noting there are several vehicles that could be available. He checked on reports submitted for reimbursement by 3 employees, noting incomplete forms and the need for correct reporting of mileage. Also, the

department manager should not be signing his own form, but the Town Manager should be responsible for this action. Also, the person picking up the mail for DPW could use any of the sedans available at the complex, or have one of the many employees visiting the Town Office during the day pick up the mail.

Mr. Ingram suggested the Manager review the current process on whether it's fair, correct, etc and to return with comments. Mr. Pace noted that if forms are submitted incomplete, they should be returned.

7. Appointment of Budget Committee members.

The March election authorized the Board of Selectmen to appointment replacements to the Budget Recommendations Committee to fill unexpired terms. Curtis Mackail and Justin Merrill have recently resigned, leaving 2 openings. Budget members are elected each year on the Town Warrant – for one year terms.

Mr. Binette moved to appoint Jaye Aither and Jay Childs to complete the unexpired terms of Curtis Mackail and Justin Merrill on the Budget Committee; second by Mr. Pace. VOTE: Unanimous. Chairman Ingram noted any resident interested in serving on Town Committees should contact the office.

Mr. Binette noted vacancies remain on the Recreation Advisory Board and if interested, contact the office for information. Letters of interest should be addressed to the Board.

8. Discussion on use of 2004 Fund Balance.

Mr. Dean noted the current unreserved fund balance is \$3,128,552 and the Board should decide how much of that they wish to retain and how much to put toward keeping the Town's portion of the tax rate even. The MS-6 report estimates \$1.3 million to reduce the taxes. The recommended percentage to retain is between 10-15% with Gov't. Finance Officers Association's (GFOA) recommending 8-17%.

Mr. Pace stated the process could go either way: set aside \$X to reduce taxes and retain the variable amount, or retain \$X and use the balance to reduce taxes. Mr. Dean explained the Fund Balance is the amount of estimated net over expenditures. We draw on that to reduce the Town's portion of the tax rate and keep a portion for emergencies. Mr. Pace stated that with the Town's aging infrastructures, we should stay conservative and retain \$1.8 million (a mid-point of 12%). Mr. Dean clarified the Town does not use the Fund Balance to operate the town.

Mr. Pace moved the Board authorize to retain \$1.8 million in the Fund Balance with the balance to be used to off-set the Town's tax burden; second by Mr. Eastman. VOTE: Unanimous.

9. Preliminary FY06 Operating Budget, CIP & Warrant Articles; refer to Budget Committee.

Mr. Dean reported the preliminary FY06 budget has been completed and ready for referral to the Budget Committee, in order to begin their review.

Mr. Pace moved to thank the Department Managers for joining the Board this evening and to refer the budget to the Budget Recommendations Committee for their consideration; second by Mr. Eastman. VOTE: Unanimous. Chairman Ingram noted he was not sure how the meeting was going to go tonight and again thanked the department managers for coming in case there were questions.

10. District Court update.

Mr. Dean read the attached letter from Chief Justice John Broderick noting the majority of support from the communities in our district, as well as Hampton's. Peter Goodwin, from Administrative Services, suggests the Town contact Don Hill (Admin. Services) and Judge Kelley to start the formation of a Committee.

Chairman Ingram noted his counterpart in Hampton, James Workman, reported someone from the State has been trying to acquire land on the cheap in Hampton. Chairman Ingram noted Hampton is not the center of the sector and Hampton is still willing to work with us, the other towns and the State in seeking a site properly sited and of the appropriate size for all. He urged Mr. Dean and Mr. Campbell (Board's representative to committee) to get things going toward a meeting. He noted the letters were sent two months ago and, to date, the State has done nothing,

11. Site Plan Requirements and Procedures.

The Chairman had requested the Town Planner and Building Inspector attend a selectmen's meeting, along with the Planning and ZBA Chairmen, to review the Town's regulations with respect to site plan requirements. He noted the purpose of the meeting was not to make changes at this meeting but to review and speak with those who enforce regulations. Mr. Dean noted the following were present: Sylvia von Aulock (Town Planner), Douglas Eastman (Building Inspector/Codes), Michael Dawley (Chairman ZBA), Langdon Plumer (Chairman Planning), Donald Clement (Conservation Comm. Chairman) Anthony Zwaan (Planning member) and Julie Gilman (ZBA member).

Ms. von Aulock, Town Planner, provided a power point presentation regarding the Planning Board application process, as well as the review process (synopsis attached). She noted the whole process is a team effort and taken on a case-by-case basis.

Mr. Plumer noted occasionally waivers are granted but there are rules for the reasons they would happen. Minor adjustments may be needed to make a plan work and a waiver would allow this. Mr. Ingram asked when the process would not be needed. If there is an existing structure being used on the lot (same footprint), changes less than 3,000 sq. feet and there are no waivers and setbacks required, it would not go through Planning Board review.

Mr. Plumer noted there are also cases when the Planning Board gives "conditional approval" when they review the plans, some points must be met and the Chairman can then sign the plan. It then becomes recorded at the Registry of Deeds. There are also times when the hearing is just discussion with no designs available or decisions made. Prior to the expense of engineering costs, a developer may approach the Board with conceptual ideas – to see if it would work at all. If they then return with a plan, the Board is familiar with the process and proceeds.

Mr. Clement suggested a checklist of plans. Though the Commission is represented on the TRC, it's not just wetlands that are impacted and of concern. The 4 areas of concern in the overlay districts include wetlands, shore land protection, aquifers and the flood plains. With permits for existing lots the Commission may not review them but concerns over land, slopes, trees, buffers, etc. are raised. He noted the Town should have some control, as noted in the Zoning Regulations, of the overlays and a checklist would give a chance to see what an owner will be doing. Mr. Eastman questioned whether the Town should have control over an individual property owner's land. Mr. Clement noted some areas are covered by the ZBA regs. and they should be reviewed.

Mr. Douglas Eastman (Building) stated there is nothing in the ordinances now that states an owner must come before the Conservation Commission concerning current property, noting "existing lots" have rights. Mr. Ingram suggested that though a formal review might not be necessary, a review by Conservation could be in order. Mr. Campbell asked about a checklist for a building permit. Mr. Doug Eastman stated there is an attachment with about 50-75 questions to be answered.

Ms. von Aulock noted neighbors often call about tree clearing and, depending upon size, location and situation, the State (at all levels) and many other parties are called in for processing. It may become a very lengthy and costly process.

Dr. Anthony Zwaan noted lots of conclusions are made regarding cases, particularly involving smaller lots not going through Planning Board process but just building permits. Perhaps more resources are needed for better enforcement through the process. He reminded the Board that the Town could have owned 11-13 High Street but dropped the ball. He noted the new owner is doing a great job and is preserving a historic site.

Julie Gilman, 96 High Street, questioned how residents would know what is going on at their neighbors regarding renovations if there is nothing to respond to i.e. abutters notice (if not going through a review process). There are time limits in which to respond as an abutter which can expire even before a project is begun, thereby allowing no response. Mr. Robert Eastman asked if an addition is being made to a house, should abutters have to be notified. Ms. Gilman noted an objection should be allowed but if the time limit has gone by, there is no recourse. Ms. von Aulock read from Planning regulations (4.4 and 4.4.2) as explanation. She reiterated review is still case-by-case.

Mr. Campbell asked if Planning Board review can be waived through the Zoning Broad process. Michael Dawley, ZBA Chairman, stated ZBA may say no Planning Board review is necessary but the Town Planner must review. This ZBA section may require re-wording. He noted building permits may be appealed, as well as certificates of occupancy, if reference to a zoning article can be referenced – in a timely manner. Mr. Ingram suggested the time period clause could be tweaked to state comments could be received 30 days from 'start' of project rather than 'issue' of permit. Ms. Gilman suggested building permits be published when issued, such as on the web site.

Dr. Zwaan stated notification is a big issue and though abutters are notified, effects of a project could be felt beyond those boundaries. Also, with many non-conforming lots and neighborhoods in existence prior to 1972, small additions and changes can become a big issue in those situations. Until we can regular better, these are still issues.

Chairman Ingram thanked those in attendance, which allows the public to see how the process works.

12. Town Manager's Report:

- Mr. Dean read a press release regarding a finding of EEE in the Ernest Avenue/Route 111 area (attached). Additional testing is continuing and further information is available at the Dept. of Human & Health Services (www.dhhs.nh.gov) or call NH West Nile Info line at 866-273-6453.
- Household Hazardous Waste Day is this Saturday, October 1st from 8:30-12 noon at DPW.
- Leaf collection is the week of November 14th – curbside. More information is available at the Town Office reception desk or by calling 773-6157.
- Town's offices are closed on October 10th for Columbus Day. Rubbish & recycling is on schedule.
- Next meeting is Tuesday, October 11th at 7PM.
- Trick or Treat is Sunday, October 30th from 4-7PM with the fire alarm sounding at start and finish. The parade is Friday, October 28th beginning at 4:30PM at the Parkway.

13, Permits:

- Eric Lowther requested blocking off Garfield Street from the storage center to School Street on October 30 and 31st from 4:30-9:30PM for his annual haunted house, due to safety of children in the area. He is working with the police on blocking and safety.
- The Chamber requested the Bandstand on October 22nd from 8A-6P for the Fall Festival.
- The Chamber requested use of the right-of-way around the Town Hall on October 22nd from 8A to 5P to rope off the area for the hay wagon.
- The Chamber requested the Nowak Room for downtown restoration explanation from 5:30-8:00PM on October 5th;
- The Chamber requested the Wheelwright Room for a meeting with agencies regarding the Chamber's Children's Fund on October 5th from 10-11:30AM.
- Rotary Club requested permission for a banner across Water Street to advertise their apple sale. The banner will be up from October 10 – 14th.
- Rotary Club requested blocking of spaces by the Bandstand on October 21 from 7:30AM to 4:30PM for their annual apple sale.
- A road race permit is requested by the Bruce Ellis Road Race for November 5th at 10AM. Chief Kane has approved the route.
- Sandy Martin, Martin Family Enterprises, requested permission for a structure on the sidewalk on Tuesday, October 18th from 4-8PM for an open house. The tent structure is 10' x 10'. Insurance certificates are on file.

Mr. Pace moved to approve all permits, conditional with Mr. Lowther working with the Police regarding safety concerns in place; second by Mr. Eastman. VOTE: Unanimous.

14. Selectmen's Committee Reports

Mr. Pace: Negotiations continue for 2 of the bargaining units. Friday was the last day to file legislation at the State House and reimbursement for DownEaster expenses by Towns has been filed.

Mr. Campbell: Water & Sewer meets this Wednesday at 7PM; Downtown meeting is Wednesday at 2:30;

Mr. Eastman: none.

Mr. Binette: Opening on the Recreation Advisory Committee. He noted Irving Oil has provided oil to assist NH residents both in the Seacoast and in the Lebanon area, through the assistance of the Greater Seacoast United Way and Rockingham Community Action. To see how to qualify, call RCAP at 436-3896. Mr. Pace noted the information has been forwarded to our Welfare Director to help supplement fuel assistance.

Mr. Ingram: Rockingham Planning Commission met last week; Council on Aging met and discussed the relationship with RSVP. Safety Committee is reviewing inspection details. River Committee met and viewed a draft report of Town and State cooperation. They will continue to review at the next meeting.

Mr. Dean stated he attended a great dedication at the Lincoln Street School concerning the Robinson Female Seminary this past Friday. It was well attended and the kids were great!

13. Public Comment: None.

Mr. Pace noted the Exeter Blue Hawks football teams defeated Winnacunnet during homecoming week (all 3 teams – freshmen, junior varsity and varsity) – all scoreless.

Mr. Eastman moved to adjourn; second by Mr. Pace. VOTE: Unanimous. Time: 9:50PM.

Respectfully submitted,

Barbara A. Blenk
Admin. Asst./H.R. Dir.

Attach.