

1, 2. Convene the meeting/Non Public Session.

Chairman Ingram convened the Board at 6:30PM. It was moved and seconded to adjourn to a non-public sessions under RSA 91-A to discuss a personnel matter.

3, 4. Reconvene regular meeting – 7:00PM.

Chairman Ingram reconvened the Board at 7:00PM in the Nowak Room of the Town Office and introduced other members of the Board. Also present: Robert Eastman, Paul Binette, William Campbell, Joseph Pace and Town Manager Russell Dean.

5. Minutes: February 27th, 2006.

Mr. Binette moved to waive the reading of the minutes of February 27th, 2006 and accept the minutes as presented; second by Mr. Pace. VOTE: Unanimous.

At this point, Ms. Tracy McGrail from the Chamber of Commerce was not present to begin discussing agenda item #6 regarding their lease renewal, so it was decided to return to this item later in the meeting.

7. Review Open Space Committee Charge.

Mr. Dean introduced Mr. Don Clement and Mr. Don Briselden to discuss the Open Space Committee charge presented to the Board of Selectmen. Mr. Clement noted that the correct charge should state “alternative charge” and verified with the Board that they all had the proper draft, which they did.

Mr. Clement, member of the Conservation Committee, explained the history of the Open Space Committee and how this committee was appointed to assess inventory and evaluate the Open Space in the Town of Exeter and work with the land owners and bring forth to the Conservation Committee and the Board of Selectmen any potential land for acquisition.

The Open Space Committee and the Conservation Commission have started discussions on where the Open Space Committee goes now that they’ve brought forth a number of pieces of land and fulfilled their original charge, in Mr. Clement’s opinion exceeding the expectations of the committee. The Open Space Committee and the Conservation Commission would like to extend and enhance the value of the Open Space Committee.

As a result, the Open Space Committee created this Draft Alternative Charge, which lays out the roles and responsibilities of the Open Space Committee moving forward. Per this alternative charge, the Open Space Committee would still be a committee appointed by the Board of Selectmen, but it would function as a sub-committee of the Conservation Commission. Their prime focus would be open space preservation. This way, the Conservation Commission can utilize the knowledge, skills and experience the group has acquired in the last three years and they can lay out a blueprint for the Town of future land protection. This would foster a great communication vehicle with the Board of Selectmen, the Conservation Committee and land owners. The roles and responsibilities that Mr. Clement felt stood out is that the Conservation Committee would still look to the Open Space Committee for recommendations on acquisition for open space and conservation easements. The Conservation Committee would look to this committee to advise them and the Board of Selectmen on

proper land management policies, procedures and methods for land acquired, and they would also provide a stewardship role to develop good management plans for the land, ensuring the terms of the easements are being maintained.

Mr. Briselden approached the stand and noted that stewardship will be a prime role. The Town has responsibility to manage these parceled lands, including recordkeeping, and the Conservation Committee saw a role that would benefit the town. None of the current members are looking for tenure on this committee, they would like to transition as the Board of Selectmen appoints new members, so as not to lose the knowledge gained over the years. Mr. Briselden then invited the Board to ask any questions they may have.

Chairman Ingram asked if the Board approved this, would we be saying the existing committee would perform this role until it was transitioned. Mr. Briselden said that was one way to do it; the other option would be to completely disband the current committee and form a new one, still having a transition period. Mr. Campbell suggested creating staggered terms to keep people on at first, then slowly transition them out. Mr. Briselden mentioned this would give other members of the community an opportunity to get involved.

Mr. Pace described how the Arts Committee handled creating a subcommittee and staggering terms to get more involved. Mr. Pace also asked if the Open Space Committee or the Conservation Commission has currently been handling the stewardship charges for lands the Town currently has. Mr. Clement said the Conservation Commission has been responsible for this up until now.

Mr. Pace wondered if they envisioned the Open Space Committee will assume these responsibilities or by statute would the Conservation Commission do this? Mr. Clement stated that by statute, the Conservation Commission would, but if the Open Space Committee became a sub-committee of the Conservation Committee, it would still fall to the Conservation Committee. Chairman Ingram stated that, in essence, this would give the Conservation Commission the manpower to do what they have been unable to do until now?

Mr. Clement mentioned the many roles the Conservation Commission has to play, and how some of the responsibilities some people don't enjoy, but something like the Open Space Committee is something that they do enjoy and can get excited about. This would cast out a wider net to bring in volunteers for something they may have otherwise hesitated to join. Mr. Campbell backed that up, stating that there's so many things the Conservation Commission can't get to with only seven members, and it would be great to have help of a sub-committee like this.

Mr. Eastman noted that a lot of the fourteen responsibilities listed in the Open Space Committee charge are also the responsibilities of the Conservation Commission. He also checked on the minutes of the Open Space Committee in the Town Clerk's office, and although there are some there, there were a lot of non-public sessions with no record of the minutes, no copies of appraisals, and Mr. Eastman wondered who is responsible for holding these records, as they really should be in the Town Clerk's office as it is public information. Mr. Eastman also mentioned a House Bill 1301 which deals with purchases of conservation, preservation and agricultural preservation restrictions and was referred to an interim committee. The bill applies to statutes of RSA 331-A:26, of which a governing body of the State of New Hampshire real estate practice act to the agent and agencies using public funds for the purchase of conservation, preservation and agricultural preservation restrictions. The reason this committee wanted to put this interim study is to recognize there is ethical abuse surrounding the purchase of conservation restrictions. Mr. Eastman did not know where the

committee is going with this, but one of the problems he has was that there are members of the Open Space Committee who are also members of the Rockingham Land Trust, so Mr. Eastman questioned who they truly represent? He wondered if they represented the Town of Exeter or the Rockingham Land Trust; Mr. Eastman felt there is clearly a conflict of interest there. Mr. Eastman felt you cannot be a member of a Land Trust and represent the Town in the area of conservation easements, and this is something that needs to be looked into.

Mr. Eastman also mentioned an article he referenced several years ago which discussed a purchase of conservation easement as an interest in real property, and therefore it should be handled in a different way. Mr. Eastman felt those areas need to be addressed in this charge. Mr. Eastman felt what needs to be added is when the Open Space Committee is doing research, Mr. Eastman assumed we'd be using public funds and thus the land should be open to the public. Mr. Eastman felt more work needed to be done on the charge before the Board moved forward with it. He liked some of the ideas, he thinks the Conservation Committee needs help monitoring the land, but recommends they not move forward tonight but go back and rethink what the role of the committee should be.

Chairman Ingram asked if this is going to be a subcommittee, should these alterations to the charge be for the Conservation Commission or the sub-committee? Mr. Clement explained the Conservation Committee could create the sub-committee, but the Conservation Committee and the Open Space Commission felt this would keep an open communication tool.

Mr. Campbell clarified the Open Space Committee would make recommendations to the Conservation Committee, who would then present it to the Board of Selectmen. Mr. Eastman had a problem that the Board of Selectmen should set up some criteria the Open Space Committee should follow. Mr. Campbell said maybe it was the Conservation Commission that should follow these, and Mr. Eastman agreed and felt maybe the Conservation Committee should be the ones who the Board of Selectmen should give some guidance to.

Mr. Pace mentioned an example of a sub-committee they were involved in appointing and giving a charge to. He felt they had the right flow and Mr. Pace had no problems in making appointments, as that would give the Board of Selectmen a chance to speak with those volunteers interested in being involved. Yes, Mr. Pace felt they should be a sub-committee; yes, he felt the Board should still keep their hands in it. Mr. Pace stated we need to address even if there is a perception of ethical issues. Mr. Pace also felt the flow and language of the charge could be tightened up.

Mr. Clement stated their intention was not to give perception that the Open Space Committee worked in a vacuum and that the flow should still continue to go to the Board of Selectmen.

Chairman Ingram felt the Open Space Committee should go under the Conservation Commission, he felt that Mr. Eastman's concerns should be given to the Conservation Commission and give **them** responsibility for the Open Space Committee, the Open Space Committee would then give the recommendations to the Conservation Commission and the Conservation Commission would present their findings to the Board of Selectmen. Chairman Ingram recommended the Conservation Commission return with advised charge for the Open Space Committee and also an updated charge for the Conservation Committee. Mr. Clement invited the Board to give input so the Board's issues could be addressed, and it was decided all feedback would be passed through Mr. Dean. It was decided to continue with the Open Space Committee for the update on the White Property and then the Board will return to discuss the Chamber of Commerce lease.

8. Update: White Property Space (Open Space Committee).

Mr. Clement recapped the history of the White Property. Unfortunately the Town did not receive the grant for the original proposed deal for the White Property, so they essentially restructured the acquisition, cut it down by one-third, and held a public hearing in February, where it was approved to move forward to the Board of Selectmen.

Mr. Peter Dow of the Open Space Committee had to renegotiate the proposed deal. Mr. Dow showed the details of the land in question, including the property boundaries, and explained that they were approved to buy a 5.8 acre piece of property for \$9,000, but the property had no road access and was in a flood plane.

The new proposal is a scaled down easement, 5.33 acres with 1,000 feet of frontage, and has been used for fishing access. Mr. White, the property owner, has allowed passive public pedestrian traffic but they are not allowed to create trails. Mr. White would still own the property and would like to still have the ability to cut trees on the property based on best practices. The Open Space Committee would like, with the Board's concurrence, to get approval to move forward with this piece of property. If approved, there would be \$30,000 left for open space acquisitions.

Mr. Dow mentioned the piece of property is directly across from an easement on the other side of the Exeter River, so this would allow them to manage property on both sides of the River.

Chairman Ingram then questioned if they were looking for approval to continue or looking for a motion to approve? Mr. Eastman noted that they already approved the acquisition in the past. Mr. Dow read the actual verbiage of the most recent proposal to clarify that they are looking for approval for the restructured deal.

Mr. Dow also relayed that Mr. White is concerned that, although he has not had problems in the past, if problems arise in the future, Mr. White would like assurance that he can come to the Town for help in enforcing the rules. He also wanted it known that he heats his house with firewood and would like to continue harvesting wood from the land (within reason and following best practices).

Mr. Binette questioned the difference in price from the last proposal to this one, and Mr. Down explained that the difference was due to a survey that would have been required in the previous proposal. They deemed this survey unnecessary and saw it as an opportunity to save money.

Mr. Campbell moved to authorize the restructured acquisition; second by Mr. Pace. VOTE: 4-1.

6. Appointments with the Board: Chamber of Commerce, re: Lease Renewal.

At this time, the Board of Selectmen revisited the discussion surrounding the Lease Renewal proposed for the Exeter Area Chamber of Commerce. Ms. Tracey McGrail was present and referenced the letter she wrote suggesting a twelve month lease, with a six month renewal option. She said it would take the Chamber this long just to find a new space.

Chairman Ingram asked if they are interested in expanding and asked if she would like to be included in future discussions about space planning, to which Ms. McGrail said she would be happy to be involved.

Mr. Pace hoped that Chairman Ingram's suggestion would work for all involved but also recognized that it may not. Mr. Pace has no problem recommending the lease as we will be unable to do anything with the Town Hall/Town Office reorganization for at least a year. ***Mr. Pace made a motion to approve the proposed lease renewal for one year.***

Mr. Eastman also mentioned that at one point an outside real estate consultant was asked what this type of space should be rented for, and based on that recommendation the rent should be quite higher.

Mr. Binette asked to hear the motion again. ***Mr. Pace made a motion to approve the proposed lease renewal for one year.***

Mr. Binette questioned what would happen if we were able to begin renovations to the Town Hall prior to the end of their lease. Although no one anticipated we would be in that position, we would give them as much notice if there was any inkling that renovations that would affect their area were on the horizon.

Mr. Arthur Baillargeon approached the microphone and asked what utilities and services were included in this lease? Mr. Dean said the Chamber provides their own custodial services, and the Town provides electricity, heat and water. Mr. Baillargeon asked if it would be possible to see how much their portion of the utilities cost, and Mr. Dean explained all utilities are based on the entire Town Hall so there is no way to determine the amount due from the Chamber. Mr. Baillargeon stated that he did not want to see the taxpayers paying for this because they are getting quite a deal. Mr. Binette agreed with Mr. Baillargeon that they are getting a great deal for this space.

Mr. Pace made a motion to approve the proposed lease renewal for one year; second by Mr. Campbell. VOTE: 4-1.

9. Appointments with the Board: St. Michael's Church, re: Water/Sewer Services at proposed site off Stoneybrook Lane.

Mr. Dean explained that representatives from St. Michael's Church would be unable to attend tonight's meeting, and this item will be discussed at the April 3rd, 2006 Board of Selectmen's Meeting.

10. Bid Award: DPW Sweeper.

Mr. Dean noted that bids were opened for the Department of Public Works Sweeper on January 11, 2006. Three bids were received, and the DPW has spent the last month researching each of the bids thoroughly and recommend awarding the bid to the Tennant Company in the amount of \$190,907.14 with a first year lease payment of \$41,804.65 and subject to approval of the Town budget on March 14, 2006.

Mr. Eastman stated that he had a problem with the Board of Selectmen awarding a bid prior to Town Election. Mr. Dean felt they could change the wording to "approving the bid." Mr. Campbell suggested making a motion for awarding of the bid subject to the approval of the proposed budget on Election Day.

Mr. Pace stated that we are two months into Fiscal Year 2006 and we've already spent money the voters have not yet approved, and this is not an atypical situation. Mr. Pace questioned how bad it would be if we waited until the next meeting to approve the bid.

Mr. Jay Perkins, highway superintendent, approached the microphone to clarify that this is only to award the bid to the Tennant Company, as the Tennant Company only wants a commitment that if the proposed budget passes, the Town will appoint the bid to them. The Tennant Company also understands that if the budget is not approved, we will not take the sweeper and they will sell it elsewhere.

Mr. Pace wanted to ensure the Tennant Company will eat the cost if the budget is not passed, and Mr. Perkins assured him that they would.

Mr. Pace also wanted to hear more about this sweeper due to the fact it was not the lowest of the bids. Mr. Perkins described the functionality of the sweeper, and he noted the ability to use the sweeper year-round, which is a capability the other sweepers did not have.

Mr. Binette asked how many people would be allowed to drive it. Mr. Perkins said they would have only two people authorized to drive it – a primary driver and a back-up driver. Mr. Binette noted the back-up camera and explained some points to consider with these cameras and how they would require being reset if damaged. Mr. Perkins reiterated that not all operators would be handling this equipment in an attempt to avoid those problems.

Mr. Eastman gave credit to Mr. Perkins on his ability to secure such a good rate for this piece of equipment. Mr. Dean mentioned how this has now sparked discussion of using this leasing method for other large pieces of equipment for the Town.

Mr. Campbell made a motion to approve the awarding of the bid of the Department of Public Works sweeper to the Tennant Company, in the amount of \$190,907.14, with a first year lease payment of \$41,804.65 and subject to approval of the Town Budget on March 14, 2006; second by Mr. Pace. VOTE: Unanimous.

Mr. Pace and Mr. Campbell also noted a job well done by Mr. Perkins.

11. Town Emergency Plan Update: Fire Chief Brian Comeau.

Chairman Ingram introduced Fire Chief Mr. Brian Comeau to present an update on the Town Emergency Plan. Mr. Dean also referenced a great meeting on Friday where they wanted to make a truly functional plan. Mr. Dean discussed the needs based on lessons learned from Hurricane Katrina, among other things.

Chief Comeau walked through the handout presented to the Board of Selectmen which outlines the plan. Chief skipped forward to the roles of the Board of Selectmen, which stated that the Board of Selectmen is their liaison with the Bureau of Emergency Management. Chairman Ingram questioned the actual procedure of how this would be done if an emergency happened. He thought if an emergency occurred, the Fire Department and Police Department would obviously be busy, and he wondered if there would be a set procedure the Board could refer to for guidance on what exactly to do. Chief Comeau stated that this is just Chapter One, but the final version would have all of the

details laid out. Chief Comeau reassured the Board that they would still have help and would not be solely responsible for these things.

Chairman Ingram asked for more clarity on how to request military assistance, and Chief Comeau reiterated that the Fire Department would actually do these tasks, but the Board would be readily available to approve these actions.

Training Assistant Chief Eric Wilking also approached the microphone to provide even more clarification. He said the reality is that it's more likely these orders will come in reverse order – the Federal government will tell us what we need to do, versus us requesting these things from the State or Federal government. Mr. Wilking explained that a lot of these details were not included at this time as it is more likely the orders will come from the top down.

Chairman Ingram proposed a hypothetical situation that we're in an emergency, the five members of the Board of Selectmen are there, the Board stays out of the way of the Fire and Police Departments so they can operate, and the Board is just there to approve their operations. He asked if this was accurate. Chief Comeau said that under this scenario, you would see the Chief of Police, the Fire Chief, and Town Manager acting as a combined leadership team, as each of them knows where their resources are and when their resources have been exhausted.

Chief Comeau continued down the list, explaining shelter options, evacuation recommendations, and communication with other communities.

Mr. Campbell questioned the communication with the schools, specifically the smaller schools outside of the schools chosen for shelter. Chief Comeau noted which representatives would be present and also how contact would be made to those schools without representation, ensuring all would be notified.

Chief Comeau proceeded to outline the responsibilities of the Town Manager and brought attention to the final responsibility, which would be to disseminate information to the public, as a Public Information Officer. He also went through the rest of the document, discussing the Emergency Director, which is Chief Comeau, then moved on to discuss the roles of the Police Department, Fire Department, Public Works, and he stated the importance of Public Works as well in this operation.

Next Chief Comeau discussed the School Superintendent and his role. Chairman Ingram noted that we have two school systems and wondered if we needed to make that plural to ensure we are covering all schools.

Chief Comeau also stated that if an evacuation was called, we could only order those within our borders to evacuate. Chief clarified that the Superintendent would be our one school point of contact to be part of the Emergency Management Team. Chief Comeau listed the other employees of the Town that would be included (Building Inspector, Town Treasurer, Town Clerk, Health Officer, Welfare Director, Town Planner) and their specific responsibilities.

Mr. Wilking acknowledged that natural disasters have really prompted us to get our plans together should these actions be required. He referenced the third paragraph, which stated that all Towns must organize an Incident Command System (ICS) recognized by the National Incident Management System (NIMS).

Chairman Ingram asked when they want to present this, and Mr. Wilking said we need to do it quickly, but it still could be weeks or months. Mr. Wilking also mentioned, so as not to be a surprise, a fact sheet which notes that IS-700 NIMS asks that they be minimally trained. He outlined the various levels of training that various representative would need.

Chairman Ingram asked when the Board should start this training. Chief Comeau said that in Fiscal Year 2006 all municipalities must be ICS trained with FY06 (by October 1, 2006). By Fiscal Year 2007, they must begin moving forward on the levels of ICS requirements. Mr. Dean said he would forward training dates along to the Board as they become available. Chief Comeau said the next exercise would be March 15, 2006 and he discussed the details of the event. Mr. Binette and Mr. Eastman said they would be available to attend.

12. Appoint Recreation Advisory Board Member.

Mr. Binette moved to appoint Julie Pearson as a full member of the Recreation Advisory Committee; second by Mr. Campbell. VOTE: Unanimous.

13. Adopt CATV Committee Charge.

Mr. Pace discussed the motion to adopt the CATV Committee Charge, which approximates what it is that the Committee is looking to do – negotiate with cable TV providers, explore moving from just education and also include public access.

Mr. Dean added that this Committee would also be creating a “watch-dog” group which would be responsible for monitoring consumer complaints and following up on these problems. They would then bring irresolvable grievances to the Board for resolution. This would be an effort to get people involved.

Mr. Eastman felt this was a good start, but he pointed out language at the end of the first page that, as Mr. Pace agreed, could be tightened up. Mr. Dean explained the purpose of the verbiage was to ensure the Board had a way, in the event it is a very popular Committee and people sit for a long time, to keep fresh faces in the group. Chairman Ingram also agreed the tone was good but asked to see some changes and for it to be presented again in the future.

14. Review of Election Information and Warrant Articles.

Mr. Eastman stated that there was a public hearing and a deliberative session held, and he did not feel they needed to revisit this again. Mr. Binette and Mr. Pace agreed. The Board felt comfortable that everything was in place, the seeds have been planted and they hope for a large voter turnout.

15. Review of Openings on Boards, Committees, Commissions.

Mr. Eastman noted that all of the boards have a number of openings, and he encouraged all interested parties to submit a volunteer application which can be found in the Town Report, at the Town Office, or on the Town’s web site.

16. Town Manager’s Report:

- Mr. Dean noted that the new web site is proceeding as planned. We are aiming to ‘go live’ on Election Day, and he expressed his thanks to all of the staff, including Andy Swanson, the Town’s IT Director, for all of their hard work and dedication to make this possible.
- A request has been received from the Globe Plaza to get 2 separate water meters, and there have been some interesting discussions about the details involved to make this happen.
- Mr. Dean also read a note from the Town Clerk’s office regarding 2006 dog licenses, reiterating that it is state law, that late charges will be charged for late registrations, and he also reminded residents of the leash law ordinance.

17. Permits:

Mr. Dean presented the following for action:

- Oyster River Players requested to use the Town Hall Main Floor with use of the stage for July 9 – July 16 for a play. They would use the hall in the afternoons on weekdays, Friday until 9, Saturday from 9 am to 9 pm, and 9 am to 5 pm on Sunday.
- Oyster River Players requested to use the Town Hall Main Floor with use of the stage for April 29 – May 7 for a play. They would use the hall after school on weekdays, 9 am to 9 pm on Saturday, and 9 am to 5 pm on Sunday.
- Town Office Employees requested to hang a banner across Water Street from July 5 – July 18 for the annual Red Cross Blood Drive being held on July 17th.
- Exeter Area Chamber of Commerce requested to hold a raffle during March 20 – June 17 for their 23rd Annual Chamber Sweepstakes Event.

Mr. Campbell moved to approve all permits as stated; second by Mr. Pace. VOTE: Unanimous.

17. Selectmen’s Committee Reports.

Mr. Pace: Arts Committee is meeting tomorrow (Tuesday) night, to discuss their membership and the future of the committee.

Mr. Campbell: Water/Sewer Advisory is making progress on meter rates.

Mr. Eastman: Mentioned that the Water/Sewer Advisory is meeting this Thursday.

Mr. Binette: None.

Mr. Ingram: Council on Aging is coming up soon, they are losing people and need more volunteers.

Public Comments: None.

Mr. Eastman moved to adjourn; second by Mr. Pace. VOTE: Unanimous. Time: 9:17PM.

Respectfully submitted,

Julie A Lund
AA/HR Dir.