

FINAL MINUTES

BOARD OF SELECTMEN MEETING

MINUTES

April 12, 2010

1. Call Meeting to Order

Chairwoman Julie Gilman convened the Board at 6:40 pm for Board Interviews. Ms. Gilman then reconvened the meeting in the Nowak Room of the Town Office Building at 7:00 pm. Other members of the Board present were: Mr. Matt Quandt, Mr. Don Clement, Mr. Bobby Aldrich, Mr. Bill Campbell and Town Manager Russ Dean.

2. Public Comment

Don Woodward came before the Board with concerns about Water/Sewer rates. There are single meter systems where he lives and he would like to propose an amendment to the water and sewer rates. Mr. Woodward hopes this will help to tie up a loose end with the Zoning Board and the Zoning Ordinance Review Committee with putting together the affordable housing communities. It could also save paperwork and processing of water and sewer abatements.

Jim Knight came before the Board and asked about the January 27th audit report and why it was not put on the agenda. Ms. Gilman stated that she had not received all the clarifications and did not feel comfortable putting it on the agenda. Mr. Knight also asked Mr. Dean why it would take 30 days to receive the list of external accounts that he requested. Mr. Dean stated that he has put a word out to everyone in charge of those funds and there are many people that need to respond. There are many different avenues to get the requested information and he does not have a list on hand. Mr. Knight then asked when the 2009 audit will be seen. Mr. Aldrich responded saying that they hoped to start it earlier but there were some constraints to starting too early and they hope to have it this year.

Allan Bailey came before the Board and stated that it has been 10 weeks since the audit review and that it is reasonable to assume that there would always be a list of accounts. He also asked about the volunteer finance position. He wanted to know if the Board felt at ease with this volunteer doing the finance work. Ms. Gilman said she was comfortable with the volunteer in this position and that there are background checks done on the volunteers. The finance work that is being done by the volunteer is limited.

3. Minutes and Proclamations

a. Work Session: April 5th, 2010

Mr. Aldrich pointed out that on page 5 in the third paragraph it should read within an 8 month cost, instead of the total annual cost.

Mr. Aldrich moved to approve the April 5th, 2010 Work Session minutes as amended. Mr. Campbell seconded. Vote: Unanimous.

b. Non Public Session: February 8th, 2010

Mr. Aldrich moved to approve the Non Public Session minutes of February 8th, 2010. Mr. Campbell seconded. Vote: Unanimous.

4. Appointments - none

5. Department Reports – none

FINAL MINUTES

6. Discussion/Action Items

a. New Business

i. Public Health Network Grant Renewal

The Town is being required to renew its grant application for the Public Health Network grant in 2010. This grant is being utilized to fund the regional public health coordinator position, and provides funds for the regional pandemic planning. Assistant Chief Ken Berkenbush recommended that the board extend the grant for the next two years and accept it in the amount of \$70,000.

Mr. Aldrich moved the board of selectmen to authorize the Public Health Network grant renewal application in the amount of \$70,000 for the period of July 1, 2010 to June 30, 2010 and \$70,000 for the period of July 1, 2011 to June 30, 2012. Mr. Quandt seconded. Vote: Unanimous.

ii. Review Food Service FDA Code and Fees

Assistant Chief Ken Berkenbush presented an update on the food code with a request to adopt a new fee schedule that would take effect July 1, 2010. This recommendation mirrors the State plan. In talking with other Health Departments throughout the state, this is the plan that all towns are either going to, or have already adopted. This changes the methodology of inspections and the town would collect the fees. The food code will include amending the town ordinance section 1204, and the fee schedule will require a public hearing prior to the adoption.

iii. Coast Guard Monument Update

In December 2009, Resident Len Pichini asked the board to consider a reworking of the monument in front of the Town Office Building to include the Coast Guard. The Veterans Council was consulted and offered their support with this concept. Exeter Monument Works, LLC provided a quote to do the desired work with an estimate of \$4635. The reworking of the monument would include shaving the existing face and installing the five emblems and including the text "In Honor of the United States of America". Mr. Aldrich asked if the funding would be coming from the town. Mr. Dean stated that there is a line item for the veteran activities in the budget. It is hoped that the monument will be completed by Memorial Day with a mini ceremony to commemorate it.

Mr. Aldrich motioned to support the proposal to update the monument in the amount of \$4,635. Mr. Campbell seconded. Vote: Unanimous.

iv. MEAP Presentation – Energy Program

Consultant Sandra Bissett came before the board to present details of the MEAP program to the Board. The Board accepted this program back when they were performing various energy audits on town buildings. Ms. Bissett stated that this is a summary of greenhouse gas emissions and energy use for the Town of Exeter, NH for the year of 2009. The focus of the report is the municipal operations of the town, with emphasis on town owned buildings. The town of Exeter has six municipal buildings and three water and wastewater treatment facilities, which were included in this inventory: the Town Offices, the Town Hall, the Public Safety Complex, the DPW Highway, the DPW Administration, and the DPW Water and Sewer Garage. The other buildings energy use included were the Wastewater Treatment Plant at Newfields Road, the Wastewater Treatment Plant Main

FINAL MINUTES

Pumping Station at 279 Water St. and lastly the Drinking Water Treatment Plant and Sedimentation Building at 109 Portsmouth Ave. The Public Safety Complex is identified as the municipal building with the highest energy cost per square foot at \$3.20, as well as the highest energy emissions per square foot at 89.3 lbs. The DPW Administration is the second building with the highest energy cost per square foot at \$2.14. However the energy emission per square foot is 46.8 pounds, which is lower than other municipal buildings. The DPW Water/Sewer garage is the third building with the highest energy cost per square foot at \$1.70, with an energy emission per square foot of 86.2 lbs. The Exeter Water and Waste Water Treatment Facilities were not compared for their energy cost per square foot, but the total energy costs of electricity and natural gas were provided: the Wastewater Treatment Plant's total annual cost is \$157,836. The Wastewater Treatment Plant Main Pumping Station's total annual cost is \$42,958. The Drinking Water Treatment Plant total annual cost is \$129,599. Ms. Bissett then explained the priorities and custom recommendations for the town. The general recommendations for municipal energy savings are:

- Review the existing master plan, zoning ordinances, and other town policies for inconsistencies with the goal to reduce energy usage.
- Implement a behavioral change program in municipal buildings with municipal employees. Work with AI EC working group for guidance to implement this initiative.
- Implement buying strategy of energy Star equipment and products in the environmentally sensitive office products, and implement awareness campaigns to encourage thoughtful consumption of equipment and products.
- Evaluate ways to reduce fuel usage with vehicle fleet. This can be done by analyzing the routes, usage, and a strict anti-idling policy.
- Find alternative energy sources to reduce escalating fossil fuel prices and emissions. Investigate payback for possibly installing: a small CHP unit, biomass heating system or geothermal heat pump.
- Encourage recycling in composting to the extent possible, in order to divert the amount of municipal solid waste going to landfill.

Mr. Clement asked about the LED replacement lights for the street lights. Jay Perkins said that they are waiting for a proposal for the LED lights and fixtures. Ms. Bissett stated that the LED project would be great for the Energy Committee to pursue. It was also suggested that programmable thermostats be installed at the Safety Complex. Once this draft inventory is finalized, the MEAP project team will work with the Town to identify a well performing building and to carry out an energy audit for that building. The audit will culminate in a set of recommendations for building retrofits and renovations that would allow the town to reduce its building's energy use.

v. Review Paving Plan

The DPW has completed a new paving plan for the town utilizing software called MicroPaver. Town Engineer Paul Vlasich and Jay Perkins from the Highway Department came before the board to present a summary of the town's pavement condition index. Mr. Vlasich explained the management concepts MicroPaver. It can predict road conditions, the levels of analysis, the network levels versus the project levels, preventative maintenance approach, road life expectancy, and figure savings. Mr. Vlasich spoke about the pavement condition index and the repair categories of the roads in Town. It is important to choose the right treatment at the right time on the right roads. The average of Exeter's roads is a 67 on the pavement conditions index as they exist today. He looked

FINAL MINUTES

over ranks and priority over function and prediction curves. They also spoke about budget analysis and percentage increases in asphalt cost. The current backlog is \$6.9 million and the 2010 paving plan for \$500,000 was approved by the voters in this year's budget. Mr. Vlasich stated that the more money spent now the better off the town will be with the backlog and there will be better road conditions. Doing the worst first may not be the best way. It would cost more money to do it that way. It is best to work on pavement preservation and to catch the roads before they fall into disrepair. Mr. Aldrich asked about Bell & Flynn's quote and if should be done by June 15. Jay Perkins stated that their price is great at \$70.50 per ton and that they will do their best to have the work done by June 15th.

Mr. Aldrich motioned to extend the annual paving contract to June 15, 2010 at the price of \$70.50 per ton. Mr. Campbell seconded. Vote: Unanimous.

vi. Request for Vendor Permit: Ian's Franks

Mr. Dean explained that this is a request for a renewal of the permit granted to Ian's Franks to conduct the vending of hotdogs and food on Swasey Parkway. Mr. Clement recused himself from this discussion because he is a Swasey Park Trustee member. Mr. Datillo and John McGowan, Mr. Datillo's representative, were present to discuss conditions. Ms. Gilman stated that there were concerns and complaints from various groups about where Mr. Datillo had his trailer and is selling his hotdogs. Mr. McGowan said that he had heard of no complaints in writing but were aware of voiced opinions. There was one instance where the Chief of Police said he could work in a parking lot at the Academy for a football game. Mr. Datillo assumed he was permitted to work there until he received a cease and desist notice from Mike Favreau. Mr. Datillo said he had e-mailed Mr. Campbell and Mr. Quandt to get the permission from Mr. Dean. Then he was told that Mr. Dean called the Chief and he was told a police officer would call him to let him know if he could sell at the Academy. Mr. Dean said there were numerous instances when Mr. Datillo did not have permission. Mr. Campbell noted that there were a list of conditions and Mr. Datillo is to obtain written permission for any and every event. He never once got permission from Mr. Dean. Mr. Aldrich said that the written conditions are not being followed and that these conditions were put forth to protect everyone. Mr. McGowan stated that there is genuine misunderstanding and there needs to be a more air tight clear process set. Mr. Aldrich believed that it doesn't get much clearer than what is already stated in the set conditions. Mr. Clement came forward as a member of the Parkway trustees. He said that the letter was written by the Trustees to say that the Parkway is used by multitudes of people and the truck trailer length became a safety issue. He believes that the permit should not be issued until the Board has a good look at the ordinances for all vendors. Mr. McGowan believed that holding off on issuing the permit is not a good idea and that he believes the ordinance that is there is good and is easy to enforce. Captain Dockery came forward and said that they were complaints that came from people of Water Street saying that Mr. Datillo was too close to the street and parked in handicapped spots and hazardous spots. It also became a safety issue driving through the Farmer's market and at one point they were barricades moved to drive through a concert. Captain Dockery also said that Mr. Datillo has been less than cooperative when asked to move. Ms. Gilman said she would like to review this one more time to come up with agreeable conditions to abide by. Mr. Datillo said that he misunderstood that when he worked for permitted people he wouldn't have to get a

FINAL MINUTES

permit through Mr. Dean. He stated that is just trying to earn a living and would like to be out servicing the community and would like to commence as soon as possible.

Mr. Quandt motioned to approve a one week conditional permit. No second. Vote: motion failed.

Mr. Knight came before the board to say that he makes walks down to the Swasey Parkway and smells the hotdogs and likes them. He thinks that Mr. Datillo provides a great service and is just trying to make a living. He asked the board to be generous to Mr. Datillo.

Phoebe Corey of 277 Water St. came before the board to say that she has worked for Mr. Datillo and knows him to be a rule follower. There were few women with walkers that made complaints and he moved for them. She stated that Mr. Datillo would be missed if he was not permitted.

Allan Bailey hopes that the board can work something out. He believes that it is good what Mr. Datillo does.

Gerry Hamel, a Swasey Parkway trustee, came to the board to say it's not that they didn't want Mr. Datillo there. He would like to see it worked out. The letter was written for more rules for any vendor.

Ms. Gilman stated that there will be a meeting Tuesday afternoon with a Swasey Park Trustee, a police officer, two selectmen and Mr. Datillo at 2 PM to work this issue out. There will be no action on this until next Monday.

b. Old Business

i. Parks/Recreation Surplus Truck Bid Opening

There were 2 bids for the Parks and Recreation Surplus Truck.

- Jeff Creeden for \$501.00
- Kenneth Carpenter for \$201.99

Mr. Campbell motioned to accept the bid in the amount of \$501.00 from Jeff Creeden. Mr. Quandt seconded. Vote: unanimous.

ii. Electricity Contract Recommendation

Mr. Dean explained that last Friday was the latest bid. Exeter has been at 7.964 cents for three years with the lowest average of 8.4 cents and has ranged up to 12.3 cents. Thursday is the last day to ask for the contract. The price is expected to fluctuate fast.

Mr. Aldrich motioned to authorize the town manager to enter into a contract for 36 months with Constellation New Energy at the best price by this Friday. Mr. Campbell seconded. Vote: unanimous.

iii. Fire Agreement

The fire agreement is in process of finalizing language. The Board is waiting for final comments.

iv. B/C/C Brochure

Mr. Aldrich stated that the brochure was available at the volunteer fair. It can be edited and can go to final print. Ms. Gilman found one thing to edit.

FINAL MINUTES

v. B/C/C Application Form

This will be seen next week.

7. Regular Business

a. Accounts Payable and Payroll Manifests

Mr. Clement moved to approve a weekly payroll warrant dated April 4th, 2010 in the amount of \$157,552.38. Mr. Aldrich seconded. Vote: Unanimous.

Mr. Clement moved to approve an accounts payable warrant in the amount of \$233,051.45. Mr. Aldrich seconded. Vote: Unanimous.

Mr. Clement moved to approve an accounts payable warrant in the amount of \$102,145.00. Mr. Campbell seconded. Vote: Unanimous.

b. Budget Updates - none

c. Tax Abatements and Exemptions

Mr. Clement moved to approve 2 denials for:

Map 73, Lot 10

Map 108, Lot 3

Mr. Aldrich seconded. Vote: Unanimous.

Mr. Clement moved to approve to abatements:

Map 83, Lot 69 \$5,636.90

Map 86, Lot 8 \$1481.61

Mr. Aldrich seconded. Vote: Unanimous

d. Water/Sewer Abatements – none

e. Permits

1. A request for permit for the Festival of Trees on December 2nd, 2010 to use of the Town Hall Main Floor and stage.

Mr. Aldrich motioned to approve the permit as presented. Mr. Clement seconded. Vote: Unanimous.

2. A request for permit for a rummage sale for genocide intervention on May 8, 2010 from 10 AM to 4 PM to use the town Hall Main floor.

Mr. Aldrich motioned to approve the permit as presented. Mr. Quandt seconded. Vote: Unanimous.

3. A request for permit for the Musical Arts student recitals on June 19th, 2010 from 9am to 5pm to use of the town hall with stage.

FINAL MINUTES

Mr. Aldrich motioned to approve the permit as presented. Mr. Quandt seconded. Vote: Unanimous.

f. Town Manager's Report – waived for time

g. Legislative Updates – waived for time

h. Selectmen's Committee Reports

Mr. Campbell – Met with the Planning Board.

Mr. Aldrich – Meets with the Art Committee Thursday at 6:30pm. The Benefits Policy Review Board had their first meeting last Thursday. Their next meeting is May 4th. The Conservation Commission meets Tuesday at 7:00pm. The CIP meets next month.

Ms. Gilman – There is a Heritage Committee meeting Wednesday.

Mr. Clement – The Housing Authority will be having their first meeting and there is a Swasey Parkway Trustee meeting coming up.

i. Correspondence

- A letter from McFarland Ford - thanks to Officer Nathan Gourd and Sgt. Jeff Butts for quick response to fire alarms
- Letter from Families First - thanks for received check
- Mr. Knight; re: request for external accounts
- Vibhuti Agarwal; re: NH EECBG
- Letter from Lincoln School - thanks Mr. Dean for reading at the Read Across America Celebration
- Barbara Chapman; re: another term on Exeter Housing Authority
- City of Dover - thanks for help with Human Services Director hire
- Linda Hartson Macomber; re: voting day help
- A letter from Dennis Derby - thanks for prompt help with pumping
- Notice from the Rockingham Planning Commission for a public meeting on Great Dam April 29th at 7:00pm.

8. Review Board Calendar

There will be a regularly scheduled meeting next Monday.

9. Non Public Session - none

10. Adjournment

Mr. Aldrich moved to adjourn at 10:30pm. Mr. Campbell seconded. Vote: Unanimous.

Respectfully submitted,

Aimee Caruso
Recording Secretary

FINAL MINUTES