

FINAL MINUTES

BOARD OF SELECTMEN MEETING

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April 19, 2010

1. Call Meeting to Order

Chairwoman Julie Gilman convened the Board at 6:45 pm for a Board Interview for the Technology Committee. 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 - none

3. Minutes and Proclamations

a. Regular Session – April 12, 2010

Mr. Aldrich pointed out on page 2 under the monument discussion; the cost should be included in the motion. Under the Hot Dog Vendor discussion, “venting” should be vending and “Mark” should be Mike. On page 5 in the new energy company discussion, the motion should include; by this Friday.

Mr. Aldrich moved to accept the April 12, 2010 minutes as amended. Mr. Campbell seconded. Vote: Unanimous.

4. Appointments - none

5. Department Reports – Police, Parks and Recreation

Police Department

Chief Kane was present to update the Board on the Police Department. The Department continues to meet with other departments in the town to coordinate their response for the recent storm and flooding. Last month Chief Kane gave out a number of awards. Matt Locke received the 2009 officer of the year award. The DWI hunter of the year award went to Officer John Forbes. Jim Devonshire celebrated his 10th year with the department. Dave Nelson, a 29 year veteran, has decided to retire. His last day will be May 4th. Some of the detectives attended Read Across America and read to children at area schools. Lock down drills were conducted at the Exeter High School, Main St. School and Lincoln St. School. All went smoothly. Exeter Crime Line no longer exists. Exeter has teamed up with the Portsmouth Crime Stoppers and Chief Kane is hoping to get better coverage with them. 260 hours of Department training has been completed last month. 14 safety car seat checks were done with Officer D’Amato at the school. The mountain bikes are up and ready to go. Ms. Gilman asked what the bikes do for the town. Chief Kane said that they are used mostly for downtown in public relations and they are handy for nighttime as they are quiet. They can also be used to traffic enforcement and off road.

Parks and Recreation

Mike Favreau was present to update the Board on the Parks and Recreation Department. Summer Camp is filled now. Baseball and lacrosse signs up are happening currently. Swim lessons first session is 25% full. This summer is the start of an experiment for the pool with floats. Life vests will be available at the concession stand for people who cannot swim. They will receive a specific wrist band. Families may bring their own approved life vest if they wish. The Parks and Recreation Van has been approved. Clean ups are done and mowing starts this week. The garden spots have been adopted and mulching will happen in mid May. Pool painting starts this week.

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The Gilman lot and skate park lot will be graded out and refilled. Mr. Favreau mentioned that he would like to have the tennis court resurface in August. Ms. Gilman stated that the tennis court resurfacing will be on a future agenda. Ms. Gilman then asked what level of interest does there need to be for getting teams together that are not a travel team since intramural is only K-3rd grade. Mr. Favreau said that for a league there would need to be about 45-50 kids. He would be more than happy to get a league together if that amount of interest was met.

6. Discussion/Action Items

a. New Business

i. Bid Opening: Swimming Pool/Bathhouse Renovation

There were 4 bids to be opened by Ms. Gilman

1. DM Lambert of Kensington, NH. Total - \$107,421.
2. Riverbend Masonry of Exeter, NH. Total - \$96,304.
3. Bernier Corp. of Exeter, NH. Total - \$120,053.
4. Michael Nichols of Stratham, NH. Total - \$140,903.

Mr. Campbell moved to refer the bids to Parks and Recreation Department and the Maintenance Department for their review and recommendation. Mr. Quandt seconded. Vote: Unanimous.

ii. Public Hearing: CDBG Grant: Yoghunds

Informational packets were available.

Ms. Gilman opened the Public Hearing

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for economic development, public facility and housing projects and emergency activities that directly benefit low and moderate income persons. Up to \$12,000 is available for feasibility study grants. Up to \$200,000 is available annually for Capacity Building activities.

The purpose of this Community Development Block Grant funding request: This is a proposed application to the Community Development Finance Authority for up to \$170,000 in Community Development Block Grant Economic Development funds. Of the funds, \$155,000 will be sub granted to Rockingham Economic Development Corp. (REDC). REDC will retain \$5,000, for loan servicing expenses and loan the remaining \$150,000 to TBD Brands, Inc. TBD Brands, located at 7 Beech Hill Road in Exeter, manufactures Yoghund, a frozen yogurt for dogs. The loan proceeds will be used for working capital to expand production. TBD Brands will create an additional nine jobs of which at least 60% will be filled by persons of low or moderate income.

This project conforms with Exeter's Housing and Community Development Plan's Goal of: The Town should encourage the creation and retention of employment opportunities.

Ms. Gilman asked for any public comments

A woman from the audience asked what the interest is on the loan would be. Ms. Bistany said the interest is 8% with a royalty payment involved.

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Ms. Gilman closed the Public Hearing

Ms. Gilman opened the Public Hearing

Ms. Lane discussed the updated Housing and Community Development Plan. The following has been added to Exeter's existing Housing and Community Development Plan:

The Town should encourage the creation and retention of employment opportunities. These goals are consistent with Exeter's Master Plan and Ordinances. Any federal CDBG grant funds awarded to address any of these goals shall be expended consistent with national objectives and shall, at a minimum, provide improved housing in accordance with Section 8 standards, be used for public facility projects, employment opportunities, or feasibility studies. All CDBG funded projects, shall primarily benefit low and moderate income persons or households, and shall not benefit moderate income persons to the exclusion of low income persons.

Ms. Gilman asked for any public comments

Mr. Campbell asked how this is being handled. Ms. Lane responded by saying that this is an economic development and the loan is funded to the business.

Mr. Clement asked if this will be new or if it is an expansion and if it will require a new building. Ms. Bistany said that this is the expansion of a new business and will not require a new building.

Ms. Gilman closed the Public Hearing

Ms. Gilman opened the Public Hearing

Residential Antidisplacement and Relocation Assistance Plan

Although this project does not involve any displacement or relocation of persons (or businesses), if the Town were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated.

Ms. Gilman asked for any public comments

No comments

Ms. Gilman closed the Public Hearing

Ms. Gilman opened the Public Hearing

During a CDBG project we are required to have a public hearing to update the public on the project's progress. The Meeting Place Affordable Housing Project is a development

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is owned by FKP, LLC. and is 32 units of affordable family housing at 4 Meeting Place Drive in Exeter. The CDBG funds are financing a portion of the site development. The project is underway with construction of the building underway.

Ms. Gilman asked for any public comments
No comments

Ms. Gilman closed the Public Hearing

Mr. Aldrich moved to adopt the updated Housing and Community Development Plan. Mr. Campbell seconded. Vote: Unanimous.

Mr. Aldrich moved to adopt the Residential Antidisplacement and Relocation Assistance Plan. Mr. Campbell seconded. Vote: Unanimous.

Mr. Aldrich moved to approve the submittal of the application and vote to authorize the Town Manager to sign and submit the application, and upon approval of the CDBG application, authorize the Town Manager to execute any documents which may be necessary to effectuate the CDBG contract. Mr. Campbell seconded. Vote: Unanimous.

iii. Water/Sewer Rate Hearing

This public hearing is required to amend the water and sewer rates for 2010. Mr. Dean explained that there would be a 7% increase on the water side and a 15% increase on the sewer side. These rates would be seen on the August Water/Sewer bills.

Ms. Gilman asked for any public comments.

Mr. Eastman came before the Board to state that the hearing was not legally posted for notice this hearing therefore it should be canceled and re-posted properly. He also stated that there was no fee schedule.

Mr. Quandt moved to cancel the hearing. No second. Motion failed.

Mr. Campbell and Mr. Clement stated that public comments should be allowed. Ms. Gilman agreed to this.

Gerry Hamel stated that he was concerned with the drop in average use and the jump in price.

Bob Eastman spoke about expenditures, revenues, grants, and how the Water/Sewer budget is over spent. He believes that there needs to be a proper analysis.

Brian Grisset came before the Board and stated that the water reserves were used for studying the river and dam and were supposed to be used for water infrastructure. He also spoke about grant money, waterline reconstruction and hydrant and administrative fees.

Brian said that the interest is not being credited to the fund. He believes that the ordinances and fee schedules should be addressed and looked into before the vote. He also would like to see a Water/Sewer Committee put back together.

Mr. Dean stated that the water administrative fees are covered by the current service fee. Finance Director, Doreen Ravell, came forward to say that more research is being done and they have the best data available today. Since utilizing the new system, they can get the fairest and most decent rates.

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Mr. Dean will be talking to the auditors and will be getting back to the Board with the information.

iv. Southeast Watershed Alliance By-law Review

DPW Director, Jennifer Perry, has been the Town's appointed representative to the Southeast Watershed Alliance. The Alliance has completed its initial by-laws. Ms. Perry gave a quick synopsis of the by-law review. Mr. Aldrich asked if it cost anything to be a member. Ms. Perry said that it does not. Mr. Campbell wanted to make sure that the minutes of the meetings were taken and distributed to the Board. Ms. Perry stated that all meetings will have minutes taken and she will keep the Board informed. Mr. Clement recommended the Board get them by email. Ms. Perry agreed to the emailed minutes and noted that their will be another vote to authorize the final by-laws.

v. Update on Pine Road/Brentwood

Ms. Gilman explained that this is an update on the Board's visit to the Brentwood Selectmen's meeting of April 6, 2010. Pine Rd. is deteriorating because of heavy truck traffic coming from the industrial side of the road in Brentwood. It would cost an additional \$14,359. to improve it from what would normally have to be done to fix the road. Mr. Campbell said he would like to see Brentwood help out with the costs for the road since the deterioration is coming from their industries. Ms. Gilman stated that seeking their help will be the next action for the Board to take.

vi. Review Draft SOP: Assessing Dept: Abutter Lists

An issue with abutter lists has necessitated the creation of an SOP to address the issue. Assessing has drafted the SOP. Ms. Gilman said that there needs to be a simpler system. When one department gets a request, it should go out to all other departments. Doreen Ravell stated that the problem with sharing the request with all other departments is that there are tenants and it may not get to the owner. Lorrie Maker said that the change of addresses is shared with the Water and Sewer Department but there is no hard copy. In 2011 she hopes to have a system that will solve these issues. Gerry Hamel came before the board to say that everyone is sent a register letter and that the registers that are not received back should be followed up with. Ms. Gilman said they expected to do it that way and it is not working. The Board will talk to the Assessor and come back to this discussion at a later time.

vii. Economic Development Commission – postponed for next week.

b. Old Business

i. Vendor Permit Application: Ian's Franks

Mr. Clement recused himself from this discussion because he is a Swasey Parkway Trustee. Jon McGowan, Mr. Datillo's, representative came before the Board to express his appreciation to the Board for the opportunity to meet again last Tuesday. He has reviewed the conditions that were set and has submitted a revised draft. They are not seeking to go beyond the ordinance; they would just like a clearer process. Mr. Aldrich found a few things he would like to change in the revised draft. In regards to where Mr. Datillo finding a reasonable space to park; he needs to always park further north beyond the speed bump. He would like to add "written" permission for other events and have it say that there would be no additional costs for new permits since Mr. Datillo has already

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paid his annual permit fee. Also if a request is made for a new permit for permission to do a different event, the request would have to be made by Wednesday afternoon so that it can be on the agenda for the next meeting to be approved. Mr. McGowan also asked for the Board's authority to ask for permission if a permit holder for an event does not want Mr. Datillo vending there. Mr. Aldrich stated that condition #3 allows for negotiation. Ms. Gilman then opened the discussion to the public.

Jean Shiner came before the board and said that she has known Mr. Datillo since he has started his business. He knows a lot of people in Exeter and they like to talk and joke with him. She believes it is a great use of the park and asks for the Board's support and give him the permit.

Laura Picano came before the Board and said that she has moved to Exeter because it is a small quaint town. She believes the Hot Dog vendor is an enhancement if town and adds to its quaintness.

Roger Clark spoke to the Board and said that he met Mr. Datillo 5 years ago and enjoys a hot dog from him a couple times a week. He agrees with everyone who has previously spoken and believes Mr. Datillo to be an asset to the town.

Chief Kane came before the Board. He said that the different locations in town caused issues but there were also issues within Swasey Parkway. He believes that the conditions that are set now are better than what they were with having to get a permit for every location change.

Jim Knight said that Mr. Datillo has always been a reputable business person and he hopes the Board is generous.

Mr. Aldrich stated that he struggles with this. The conditions are stronger but he is not sure because of the negative history with Mr. Datillo and he is not over the hurdle of last year's issues. Mr. Campbell said that the rewriting has helped and he is willing to try granting the permit for one more year.

Mr. Campbell moved to approve the permit conditions as revised. Mr. Quandt seconded. Vote: Mr. Campbell: aye, Mr. Quandt: aye, Mr. Alrich: nay, Mr. Clement: recused. 2/1 carried.

ii. B/C/C Application Form

Mr. Aldrich asked the Board if they had any changes and if they could email them to him. Mr. Campbell said he liked the simplicity of the form and suggested flagging people on for 2 full terms. Mr. Clement suggested having an additional appointing form for after the interview for internal use. Mr. Gilman stated that they will move forward with this information.

7. Regular Business

a. Accounts Payable and Payroll Manifests

Mr. Clement moved to approve a payroll warrant for the week ending 4/11/2010 in the amount of \$182.59. Mr. Aldrich seconded. Vote: Unanimous.

Mr. Clement moved to approve a payroll warrant retro pay for the week ending 3/28/2010 in the amount 28,085.27. Mr. Aldrich seconded. Vote: Unanimous.

Mr. Clement moved to approve a weekly payroll warrant for the week ending 4/11/2010 in the amount of \$150,084.83. Mr. Aldrich seconded. Vote: Unanimous.

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Mr. Clement move to approve the accounts payable warrant for the week ending 4/16/2010 in the amount of \$123,259.62. Mr. Aldrich seconded. Vote: Unanimous.

b. Budget Updates - none

c. Tax Abatements and Exemptions

Mr. Clement moved to approve Veteran's Credits for:
104/79/203 – Denial. Mr. Aldrich seconded. Vote: Unanimous.
86/66 - \$500.00 Mr. Aldrich seconded. Vote: Unanimous.

Mr. Clement moved to approve the abatement for:
63/221 - \$24.65
Mr. Aldrich seconded. Vote: Unanimous

Mr. Aldrich moved to approve Yield Tax for:
54/2/1
Mr. Quandt seconded. Vote: Unanimous.

Mr. Clement moved to approve Elderly Exemptions for:
64/24 - \$236,251.
70/84 – \$152,251.
63/143 – \$152,251.
74/7 – \$152,251.
32/12/14 – \$152,251.
32/12/9 – \$152,251.
Mr. Campbell seconded. Vote: Unanimous.

Mr. Clement moved to approve Disability Exemptions for:
87/8/A-04 - \$125,000
95/64/357 - \$125,000
71/98/6 – 125,000
Mr. Aldrich seconded. Vote: Unanimous.

d. Water/Sewer Abatements – none

e. Permits

1. A request for permit for the Oktoberfest/Craft fair on October 16, 2010 from 9:00am – 5:00pm for use of the Town Hall with stage.
2. A request for permit for the Exeter Woman's Club Antique Appraisal on October 3, 2010 from noon-5:00pm for use if the Town Hall main floor.

Mr. Aldrich motioned to approve the permits as presented with fee waived. Mr. Quandt seconded. Vote: Unanimous.

f. **Town Manager's Report** – The vote on Senate Bill 492 is coming up Wednesday. There may be some activity around the poll tax exemption. They are considering not expending the exemption. The

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Committee on Government Affairs proposed changes and legislation deadline is May 3rd for more RSA policies introduced.

g. Legislative Updates – Mr. Quandt spoke about the telecommunications tax. Mr. Campbell stated that the House Finance Committee will hold work sessions on Tuesday and Thursday this week on its proposed cuts. There asking for municipalities to respond by the end of the week.

h. Selectmen's Committee Reports

Mr. Campbell – The Planning Board meets this Thursday.

Mr. Aldrich – The Conservation Commission and the Arts Committee met last week. The Benefits Policy Review Committee met 2 weeks ago and the CIP Committee begins meeting next Monday.

Ms. Gilman – The Heritage Committee met and there was a Transportation Committee meeting where they discussed the Coast Bus route and it coming around more often.

Mr. Quandt – Mr. Clement attended the River Committee meeting since Mr. Quandt could not attend.

Mr. Clement – Substituted for Mr. Quandt at the River Committee meeting. There is an upcoming River Committee meeting at the Town Hall April 29th at 7:00pm. Mr. Clement attended his first Heritage Committee meeting. They met with the owner of the Green Bean, discussed grants and the dam removal. Congratulations to Eagle Scout Kyle Scoggins who received the Code of Honor.

i. Correspondence

- Thank you letter from John Atsalis re: Meeting with Mr. Dean.
- Thank you letter from Families First
- Letter from Comcast re: Enhancements to service
- Letter from Nelson Kinder re: Nutrient Water Quality Standards
- Letter from Exeter River Local Advisory Committee re: Nomination
- Letter from Public Library re: Linda Hartson
- Flyer from Wonderland Thrift Shop

8. Review Board Calendar

There will be a regularly scheduled meeting next Monday with a focus on the Water/Sewer rates.

9. Non Public Session - none

10. Adjournment

Mr. Clement moved to adjourn the meeting at 10:05pm. Mr. Quandt seconded. Vote: Unanimous.

Respectfully submitted,

Aimee Caruso
Recording Secretary

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