

## FINAL MINUTES

### BOARD OF SELECTMEN MEETING

### MINUTES

March 15, 2010

#### 1. Call Meeting to Order

Vice Chairman Julie Gilman convened the Board at 7:00 pm in the Nowak Room of the Town Office Building. Other members of the Board present were: Mr. Bobby Aldrich, Mr. Matt Quandt, Mr. Don Clement and Town Manager Russ Dean. Mr. Campbell was absent.

#### 2. Swearing In of Elected Officials

Town Moderator Charles Tucker swore in and congratulated the following elected officials from the March 9, 2010 Town vote:

Donald Clement – Selectman

Julie Gilman – Selectman

Kimberly Bristol McCarthy – Trustee of Library Committee

Douglas Eastman – Measurer of Wood and Bark

Jay Perkins Sr. – Town Weigher

Douglas Eastman – Fence Viewer

#### 3. Election of Officers / Board Reorganization

##### a. Chairman

**Mr. Aldrich moved to appoint Ms. Gilman as Chairman of the Board of Selectmen; Mr. Quandt seconded. Vote: Unanimous**

##### b. Vice-Chairman

**Mr. Quandt moved to appoint Mr. Aldrich as Vice-Chairman of the Board of Selectmen; Mr. Clement seconded. Vote: Unanimous**

##### c. Clerk

**Mr. Aldrich moved to appoint Mr. Clement as Clerk of the Board of Selectmen; Mr. Quandt seconded. Vote: Unanimous**

#### 4. Public Comment

Mr. Anthony Zwaan congratulated Julie Gilman and Donald Clement on their success in the recent election and thanked Mr. Bob Eastman for his years of work for the Town. He thanked all of the voters who turned out for the election. He said he had great difficulty parking at the Talbot Gym in order to vote and asked the Board to keep this in mind for future election days. Also he felt that additional signage downtown would be helpful in the future. Ms. Gilman said that there are State regulations stipulating the number of booths available per number of voters and the Town Hall is close to the maximum allowed for this. There was also a conflict this year with the Lincoln Sesquicentennial Celebration. She said that the Board will consider his comments on the parking and signage. Mr. Quandt said that they need a waiver from the Secretary of State to hold elections at the Town Hall. Getting the waiver isn't a problem but they are worried about crowding especially for General Elections. There is more space at the Talbot Gym.

#### 5. Minutes and Proclamations

##### a. Regular Session Minutes of March 8, 2010

**Mr. Aldrich moved to approve the minutes of March 8, 2010 as presented. Mr. Quandt seconded. Vote: Unanimous. Mr. Clement abstained.**

## FINAL MINUTES

### 6. **Appointments** – None.

### 7. **Department Reports**

#### a. **Fire / EMS**

Chief Comeau said that emergency operations have been in full swing following the recent back to back storms. Exeter has received 7 ½ inches of rain in the most recent storm accompanied by winds of 30 – 60 mph. Flooding has been widespread in Town and many roads are still closed. Town personnel from Fire, Police and the Highway Departments have worked all through the night. They have rescued many vehicles stranded in high water. Chief Comeau strongly advises everyone not to try to drive through flooded roadways. They believe that the Exeter River has reached its crest. There has been a one foot rise in the River in the last 6 hours and it could go a little bit higher yet. Sandbags were distributed this morning. They reinforced the long block and wing walls of the Dam. They lost the battle with long block this afternoon. Sand bags are also being distributed to residents. An additional 10,000 sandbags have just been received from the State. Residents can get sandbags at the Town shed during regular business hours. They have rescued 14 residents, 2 dogs and 2 rabbits by boat from Court Street. There are threatened homes on Linden Street but they are still above water. Chief Comeau thanked the Highway Department for removing the tree in the river at Linden Street near the bridge. He believes it would have done a lot of damage during this recent storm had it not been removed. He thanked his department and the Police department for all of their hard work.

Mr. Dean said that he has gotten many questions about the FEMA response and asked Chief Comeau to comment on this. Chief Comeau said the Governor must first declare a State of Emergency before FEMA can come into an area. This has not been done yet. The Governor is currently surveying the damage. If the declaration happens, an assessment is done of the area and if a certain dollar value of damage is reached then FEMA funds become available. Chief Comeau advises all departments to keep good records of costs and overtime.

Mr. Jay Perkins said that they are still working on cleaning up debris from the last storm. The Transfer Station will be open from 9:00 am until 2:30 pm from Monday through Saturday and until 4:00 pm on Thursday so residents can dispose of storm debris. They have been out assisting Unutil with pumping and watching the Great Dam. The Stockbridge culvert did very well. It came within 7 inches of its top at the peak. The Highway department will be out throughout the night again tonight and will get roads reopened as soon as possible.

Mr. Clement applauded members of the DPW, Police and Fire for all of their efforts during the storm. It is a fine example of how Town employees respond when called upon.

### 8. **Discussion/Action Items**

#### a. **Selectmen Committee Assignments**

Ms. Gilman said that they will postpone Selectmen Committee Assignments until next week's meeting so Mr. Clement can have an opportunity to decide what committees and commissions he would like to become involved with. Mr. Quandt suggested putting the Train Committee in with Transportation and Ms. Gilman agreed. Mr. Aldrich pointed out that the Energy Committee is missing from the list and Ms. Gilman said that it needs to be added.

Ms. Gilman said that they have talked previously about having liaisons to places where they don't have a representative such as the Housing Authority and the Library & Swasey Trustees. It would hopefully increase communication between those bodies and the Board.

## FINAL MINUTES

Mr. Aldrich said that the Town of Stratham has selectmen liaisons to all departments and asked if there is any interest in splitting up the 12 or 13 departments between themselves and doing the same thing. Ms. Gilman said that it would be a convenient way to stay in touch and that perhaps it would eliminate monthly department reports. Mr. Aldrich said that Stratham has found that it increases the communication and that the one on one relationship changes the dynamic. Ms. Gilman said that it could help a lot during the budget process. Mr. Quandt likes the idea but said that he has also received a lot of positive feedback regarding the department reports. Mr. Clement likes a broad approach and wanted to be sure that all of the Selectmen inter-relate with all departments. Mr. Dean said that they are planning on having a Benefits Review group and are actively soliciting members. At this time they have several interested employees. He will discuss with HR and have a recommendation shortly as to whether it should be one or two committees.

### **b. Review Board and Committee Appointments / Vacancies**

Mr. Aldrich provided the following updates to the list of Board / Committee Expirations and Vacancies for 2010:

- There is 1 open alternate position on the Conservation Commission (the other one has been filled)
- On the Heritage Commission it is Peter Smith's position that is open not Mary Dupre (Mary has one more year)
- On the Historic District Commission Judy Rowan's position is not open (she has one more year)
- There are 3 open alternate positions on the Historic District Commission instead of 2
- There are 3 open positions on the Technology Advisory Committee. However they have 2 people interested so there may only be one open position.

Ms. Gilman appealed to the General Public to consider volunteering for the various Town Boards and Committees. Information is available on the Town website and interested individuals can call or send an application to the Board. Almost all committees need either voting or alternate members. By policy an individual cannot serve more than 2 consecutive terms or serve on more than one committee. This policy needs to be looked at.

Mr. Clement suggested creating a pamphlet with a brief description of each committee for people to pick up and read. It would provide another avenue for people to get information about the various committees and commissions. Mr. Dean said that he is frequently asked if such a pamphlet is available. Other members of the Board agreed that it was a good suggestion. Mr. Dean said that they had received a letter that the Council on Aging was not going to be active any more. The Board will invite them to next week's meeting to talk to them and ask them what they want to do. The letter was not from all of the members or even a majority. Mr. Quandt suggested placing Budget Committee members on some of the Boards. The Cable Committee and the River Committee are two that he felt could benefit from having a Budget Committee member.

### **c. Review Warrant Article Outcomes**

Ms. Gilman said that everything passed the recent Town Vote except for one citizen petition. They now need to set up a plan to put everything into place.

### **Zoning Amendments (Articles # 2 - # 10):**

Mr. Dean said that further to the comments he made at last week's meeting regarding the issue with the wetlands permit for 46 Brentwood Road, since Article # 9 passed they will be moving ahead with a conditional use permit.

## FINAL MINUTES

### **Article # 12, 13 & 14:**

These articles are for water and sewer line replacement and the Water Street Diversion Structure Piping Improvements project. Mr. Dean said that he will be meeting with the Town Treasurer in 2 weeks regarding these. The Town will need to formally apply to the Drinking Water Revolving Fund and the Wastewater Fund. There may be a need for some up front borrowing. The State Revolving Fund is a reimbursement fund so you have to spend the money first and there is some lag with getting the reimbursement. Mr. Dean and the Treasurer will come up with suggestions on how to go about this and maximize cash flow. On the design end, DPW will make a presentation to the Board at some point in the future. A timeline for implementation will be put together.

### **Article # 15 (Town Operating Budget):**

The Town's 2010 Operating Budget of \$ 19,811,616 passed. The Finance Department has input the Budget to Munismart and will get a report out to the Board within the next couple of days. The MS2 document has been prepared in a draft form for the Board of Selectmen's review. Maintenance has been adjusted by \$ 9,518 to bring the MS2 into line since Mr. Knight's amendment at the Deliberative Session removed \$ 9,518 more than the total cost of the 2 proposed new Finance positions. There were also contract adjustments to Police and Fire. Mr. Dean will send a detailed Munismart report out to Board members. There is a 20 day window for signing and submitting the MS2.

### **Article # 16 & # 17 (Police and Fire Collective Bargaining Agreements):**

Payroll adjustments are currently being worked on as well as the integrated agreements with Police and Fire. The Police have a draft form and they should hear shortly if it is final. It will probably take a couple more weeks to finalize the integrated agreement for Fire. Their agreement takes effect on March 29<sup>th</sup>, but does retro pay back to January 1.

### **Article # 18 (Public Safety Facility Land Purchase):**

Mr. Dean has a meeting scheduled with the property owner of 6 Continental Drive on Thursday. They will draft a Purchase and Sale agreement and Mr. Dean will bring it before the Board for their review before proceeding further. The Board discussed scheduling a time to tour the site.

### **Article # 20 (Replacement Engine):**

The Fire Department currently has a committee evaluating the bids. The Chief's goal is to have a recommendation for the Board for next week's meeting.

### **Article # 21 (Vehicle Replacement Capital Reserve Fund Discontinuation):**

Mr. Dean said that they are in the process of communicating with the Trustee of Trust Funds now to request those funds. There is a little over \$ 100,000 in the fund.

### **Article # 22 (Great Dam Removal Feasibility Study):**

Mr. Quandt said that this will be discussed at the River Committee meeting on Thursday at 9:00 am. They will talk about how to next proceed on this.

### **Article # 23 (Snow and Ice Reserve Fund):**

Mr. Dean said that the procedure is to notify the Trustee of Trust Funds to set the fund up. A check will be cut to establish the fund which the Board will see on a future warrant. It should be set up within 3 to 4 weeks.

### **Article # 24 (Funding Senior Transportation):**

## FINAL MINUTES

Ms. Gilman said that there is \$ 3,000 of carryover in the Municipal Transportation Improvement Capital Reserve Fund which was a recommendation from the Budget Committee in case this year is not as good.

### **Human Service Articles ( # 25 - # 32):**

Ms. Ravell said that checks are cut quarterly for all human service providers. There was some discussion about the current 3 year rotating schedule for human service articles to appear on the warrant. They usually all do pass by a large majority. Mr. Quandt said that some people like to pick and choose what they support. Mr. Aldrich said that the most common feedback he received on the voting process this year was that the ballot was too long. One way to reduce the ballot would be to put all human service articles in the Budget.

Mr. Anthony Zwaan said that he would not support the idea of lumping all human services into one warrant article because if it were to fail it would be extremely painful.

Ms. Gilman said that flat funding COAST is interpreted as not necessarily supporting them and results in a 10 point deduction on a Transportation grant application. She said that there may have been a different discussion earlier on in the budget process if that fact had been known at the time. Mr. Dean said that COAST may belong in a different budget category section due to their tie-ins with other transportation grant programs and that this is an issue for the Board to consider.

Mr. Dean said that he feels there is some need to define how to handle new applicants. If they call in time they are advised to submit for regular budget guidelines. However sometimes they get requests after budget deadlines have passed. Mr. Aldrich said that some type of written guideline would be helpful for new human service applicants and would be appreciated by the Budget Committee as well. Mr. Quandt said that it should be made clear that if an applicant is denied by both the Board and the Budget Committee it is not the end of the process. They still have the option to find someone to sponsor a citizen's petition for a warrant article. Mr. Aldrich would like to see more human service agencies send representatives to Deliberative Session.

### **Article # 34 (Energy Capital Reserve Fund) & 36 (Train Station Reserve Fund):**

The Trustee of Trust Funds will be notified to set up these funds and checks will be cut to establish them (same procedure as for establishing the Snow and Ice Fund above in Article #23).

### **Article # 37 (Cable TV Revolving Fund):**

Mr. Dean said that they have talked about the setup of this internally. It will be a separate fund in the custody of the Treasurer. The Board of Selectmen will control the flow of funds in and out of this fund as EXTV is evolved from 1 channel to 3 channels. The 3 channels will be a government channel, an access channel and an education channel (which will be a regional channel along with the other towns in SAU16). The Town brings in about \$ 40,000 per year in franchise fees. The EXTV budget is about \$ 17,000 but this figure doesn't include the IT coordinator's time and energy which is quite substantial. The Board will hear from the Cable Committee as soon as it gets closer to a new contract with Comcast. It will probably take a couple more meetings with Comcast before a proposal is ready.

### **Article # 38:**

This article establishes that the number of members of the Budget Committee be not more than fifteen. Ms. Gilman said that they currently have 9 members so it is OK.

### **Article # 40 :**

This is the Raynes Farm lease extension which will be discussed at the next Conservation Commission

## FINAL MINUTES

meeting in April. Both sides are eager to get the renewal done.

### **Article # 41:**

This article is a housekeeping issue that will smooth out how the Recreation Department pays for what it needs.

### **Citizens Petitions (Article # 42, 43 & 44):**

Article # 42 failed. Article # 44 will affect the Town Manager's next contract but does not void his current contract which is up on 12/31/2012. Mr. Aldrich asked if the legal opinion obtained earlier regarding this is a mandate or only advisory. Mr. Dean said that he will go back for further legal clarification and come back to the Board.

### **d. Meeting Schedule Discussion 2010-11**

Ms. Gilman said that they can keep with their weekly schedule and suggested occasional work sessions devoted to specific issues as the need arises. Mr. Aldrich pointed out that the next Monday holiday is Memorial Day so there would be no meeting that day. Mr. Dean said that July 5<sup>th</sup> will also be a holiday so there would be no meeting on July 5<sup>th</sup> either.

### **e. MS2 Certificate of Appropriations**

All Selectmen received a draft form of the MS2 for their review in their meeting packet. Mr. Dean explained the changes during the discussion of the operating budget (see previous). This will be discussed further at next week's meeting.

### **f. Constellation NewEnergy Contract**

This is a power purchase agreement proposal. Constellation NewEnergy is offering to supply electricity at 8.5 cents per kilowatt hour but is asking for a 3 year contract. Mr. Kevin Smart from the Public Works Department said that the Energy Committee has been talking about this for about 2 years and has a group in Hampton that watches and advises them on rates. It is a good time to talk about locking in a rate for a term as rates are at historic lows. Conditions are favorable and a 3 year contract at 8.5 cents per kilowatt hour is attractive. Mr. Smart said that other municipalities are jumping in. Seabrook just took the same deal last week. Prices can change rapidly. Petroleum is poised for an upturn, an indicator that electricity will also be on the way up. Unitil cost averages about 10 cents per kilowatt hour.

Ms. Gilman said that one difficulty is that we like to get quotes from multiple companies and in this program the ISO only allows the Town to get a quote from one company at a time. Mr. Smart will try to get a representative from UMG to appear at next week's meeting to discuss this. Mr. Aldrich likes the idea of a contract because it would help greatly with budgeting.

Ms. Gilman said that Jay Perkins is talking to Unitil about changing the street lights to LED. Mr. Smart said that the street lights are charged at a flat rate right now. Mr. Quandt said that he heard there can be a problem with LED street lights not generating enough heat to melt snow in the wintertime. Ice can collect on the lights and if it gets too heavy the lights break. Mr. Clement and Mr. Aldrich asked Mr. Smart for some dollar amount figures of what is spent annually for electricity now and what the potential cost savings could be. Mr. Smart will have some figures available for next week's meeting. Mr. Smart pointed out that Unitil still supplies metering and transmission so the Town would still do business with Unitil even if they purchase power from another company. Ms. Gilman pointed out that Unitil still owns all of the power lines so when there is a storm it is still Unitil's problem.

## **9. Regular Business**

## FINAL MINUTES

### a. Accounts Payable and Payroll Manifests

Mr. Aldrich moved to approve a weekly payroll warrant dated March 7, 2010 in the amount of \$ 150,163.79. Mr. Clement seconded. Vote: Unanimous

Mr. Aldrich moved to approve a weekly accounts payable warrant dated March 12, 2010 in the amount of \$ 308,862.47. Big Ticket Items: \$ 7,000 to EG & G Technical Services for EMS consultants for the Fire Department, \$ 214,877 to LGC Health Trust for the February insurance payment, \$ 54,809 for the monthly payment for trash & recycling and \$ 4,000 for a tax abatement approved last week. Mr. Quandt seconded. Vote: Unanimous

b. 2010 Budget Department Update – None.

c. Tax Abatements & Exemptions – None.

d. Water / Sewer Abatements – None.

e. Permits

1. Request by the Chamber of Commerce to use the Town Hall on April 2<sup>nd</sup> from 12 pm until 4 pm for a forum panel on economic forecasting

Mr. Aldrich moved to approve the permit with the waiver as requested. Mr. Clement seconded. Vote: Unanimous

### f. Town Manager's Report

Mr. Dean thanked the town clerks and all election officials for putting the election together and also the DPW for their assistance. The hub is the Town Clerk's office and they really know what they are doing. Thanks also to EMS, Police, Fire and Public Works crews for all of their efforts during the most recent storm. It is really appreciated. They are working on the second draft of the personnel policy and will be getting it out soon.

### g. Legislative Updates

Mr. Quandt said that the pole tax exemption passed the Senate and is coming to the House. The Right to Know Law for charitable agencies to get money from municipalities is coming up on Wednesday or Thursday. Mr. Aldrich asked how much money is being lost in property taxes by having this exemption. Mr. Quandt said that he didn't have the numbers but that the usual argument is that any lost tax revenues are made up for in value by services. Mr. Dean said that they are going to look into what is fair market value for the poles and look for a model that could be used to calculate that. Mr. Aldrich said that Senate Bill # 411 is coming up soon and wondered if that has any potential impact on Exeter. Senate Bill # 411 involves procedures and permitting for large ground water withdrawals. Ms. Gilman said that she thought it was generally geared to large companies and Mr. Quandt agreed. Mr. Aldrich asked if Senate Bill # 504 on retirement systems employment assessments could have impact on Exeter and Mr. Quandt said that he will look into it.

### h. Selectmen's Committee Reports

Mr. Clement did not yet have anything to report.

Mr. Aldrich announced that the Conservation Commission met last week and had quite a heavy agenda. Projects that they would like to accomplish this year include finalizing the Raynes Farm Lease extension

## FINAL MINUTES

and a forestry management plan for the town forest. The Arts Committee meets on Thursday this week.

Mr. Quandt announced that the Safety Committee meets on Thursday at 9:30 am. The River Committee meets on Thursday at 9:00 am. The River Committee's agenda will include discussion of the River Hazards policy, passage of the warrant article regarding the study for the Great Dam and the ERLAC presentation.

Ms. Gilman said that the Historic District Commission meets on Thursday. They have received an application for a franchise logo that they will be discussing. If you are interested please come to the meeting and voice your opinion. The Energy Committee is proud to announce that they received one Energy Block Grant for the solar PVC panels at the DPW. The next step is developing the proposal with Revolution Energy so they can put it out for bids from any companies that provide power purchase agreements. There is some money already set aside to get started on this. They are finalizing the Transportation Enhancement grant applications and had a presentation at 3:00 pm today at the Department of Transportation. The two project proposals are the Kingston Road shoulder widening and the train station baggage building upgrade and potential purchase. They are revising the applications to apply for CMAG (Carbon Mitigation Air Quality Grants) which are due by the end of the month.

### **i. Correspondence**

The Selectmen have received an email from an Exeter college student attending Tufts University interested in doing an internship in the Finance Office. Mr. Aldrich said that he thought it might be another opportunity to get some more help into the Finance Office.

**10. Second Public Comment** – None.

**11. Non-Public Session** – None.

**12. Adjournment**

**Mr. Quandt motioned to adjourn at 8:39 pm. Mr. Aldrich seconded. Vote: Unanimous.**

Respectfully submitted,

Jennifer Mancinelli  
Recording Secretary