

FINAL MINUTES

BOARD OF SELECTMEN MEETING

MINUTES

March 22, 2010

**1. Call Meeting to Order**

Chairwoman 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. Matt Quandt, Mr. William Campbell, Mr. Bobby Aldrich, Mr. Don Clement and Town Manager Russ Dean.

**2. Board Interviews – None.**

**3. Minutes and Proclamations - None.**

**4. Appointments – None.**

**5. Department Reports**

**a. Code Enforcement**

Town Building Inspector Mr. Doug Eastman said that building in town has been very active and there are many new projects. The Boulders is about 80 % complete. Foundations have been poured and framing is scheduled to start next week on the Meeting Place on Epping Rd (Felder project). The roof has just been installed on the new hotel going in on Portsmouth Ave and a Fall completion date is expected. Work is ongoing at the Exeter Commons (Old Globe Plaza) where there will be a new clothing store and nail salon. A building permit has been issued for the new Provident Bank, which is on the old KFC site, and construction is expected to start soon. There are several new subdivisions including one on Ashbrook Road, Rinney Hill and Forest Ridge. Town Line Square has conditional approval from the Planning Board. The bulk of permits involve remodeling and finished basements. They have issued a lot of permits for emergency generators.

Mr. Eastman got a grant from the NH Building Officials to attend a national conference in Baltimore last November. As of 04/01/2010, they will be enforcing the 2009 building code for all commercial and residential properties. This new code requires sprinklers, but one and two family homes are exempt for 3 years. The State now requires installers of gas & propane to be licensed. Mobile home installers also must be licensed and bonded with the State of New Hampshire. Mr. Clement asked how the number of residential new home permits compares to last year. Mr. Eastman said that it is about the same and perhaps even up a little bit thanks to the \$ 8,000 Federal New Homebuyers credit.

Through the end of February they are up to about \$ 4, 123,000 in estimated construction costs and have collected about \$ 50,000 in permitting fees and issued 102 permits. The steel door at Citizens Bank is only temporary while the previous one is being refurbished.

**6. Discussion/Action Items**

**a. New Business**

**i. Committee Appointments**

Ms. Gilman read through the list of Boards / Committees and the Selectman representative for each. After some brief discussion and a few changes the new list is as follows:

Arts Committee	Mr. Aldrich
Benefits Review	Mr. Aldrich
Cable TV	Mr. Quandt
CIP Review	Mr. Aldrich

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Conservation Commission	Mr. Aldrich
Council on Aging	Mr. Clement
Emergency Management	Mr. Aldrich
Energy Committee	Ms. Gilman
Exeter Development Commission	Ms. Gilman / Mr. Clement (alternate)
Exeter River Study Committee	Mr. Quandt
Health and Safety	Mr. Aldrich
Heritage Commission	Ms. Gilman / Mr. Campbell (alternate)
HDC	Ms. Gilman
Planning Board	Mr. Campbell / Ms. Gilman (alternate)
Policy Review	ALL
Rec Advisory	Mr. Clement
RPC	Mr. Clement
Technology Committee	Mr. Quandt
Train Committee	Ms. Gilman
Transportation Committee	Ms. Gilman
ZORC	Mr. Campbell
Library Trustees (Liaison)	Mr. Campbell
Housing Authority (Liaison)	Mr. Clement
Swasey Parkway Trustee (Liaison)	Mr. Clement

Ms. Gilman said that she would like to have additional discussion about how having selectman liaisons to all of the Town departments would work and what their duties would be. Mr. Campbell was not sure that this level of filtering was needed and Mr. Clement agreed. Mr. Aldrich said that the idea is modeled after Stratham which finds it especially helpful at budget time. Ms. Gilman said that at budget time each selectman takes on a Town department as a subcommittee so that is essentially the same thing.

**Mr. Clement moved to table this for about 3 months. Mr. Quandt seconded. Ms. Gilman said that there was a consensus.**

### **ii. Request to Surplus Parks / Recreation Truck**

Mr. Dean said that the Recreation Department has a 1994 Ford truck that will not pass inspection and they are asking to surplus it. It has issues with rust and a leaky power steering box. It is not a primary vehicle. It has been a backup vehicle and is just taking up space. If approved, the Town would accept sealed bids for this item until 4:00 pm on April 5<sup>th</sup>. Truck would be sold in "As Is" condition. Mr. Dean wants the Public to know that they looked at donating it to SST but were declined because the SST does not do body work. Mr. Favreau said that it might be useful as a plow truck or unregistered farm vehicle and that several individuals had expressed some interest in it. Mr. Clement asked what happens if no bids are received. Mr. Dean said that in the case of no bids it would be sold for salvage.

Ms. Gilman said that they will go ahead and put the truck up for bid then and open the bids at the meeting on April 5<sup>th</sup>.

### **iii. Raynes Farm Roof Grant Application Letter**

Kristen Murphy, Natural Resources Planner, is applying for a Moose Plate Grant for \$ 8,000 to repair the Raynes Farm roof and needs a letter of support. No matching funds would be needed. Mr. Clement asked if there was any update on the Town's LGC insurance coverage for the roof. Mr. Dean said that they do not have an answer from LGC yet. The Town's insurance has a \$ 1,000 deductible. Mr. Clement asked if the roof damage could possibly be covered under FEMA since it happened during the

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big windstorm a couple of weeks ago. Mr. Dean said that it would be possible and these damages would be submitted to FEMA if applicable. Mr. Aldrich was concerned that a lot of energy is being expended chasing 3 potential sources of funding. Mr. Dean said that we can always decline an option if need be.

**Mr. Aldrich moved that the Board support the grant application for replacement of the Raynes Farm Barn Roof and authorize Madam Chair to sign a letter of support. Mr. Campbell seconded. Vote: Unanimous**

### **iv. Boards / Committees Application Form**

There are two new application forms for Town Boards and Committees. One form is for an initial applicant and the other is for a renewing applicant. Both forms contain a character reference section which is new.

Mr. Quandt suggested combining the two forms into one. Mr. Campbell said that he doesn't want the form to be intimidating and questioned whether a form is necessary at all for renewing applicants. The form should probably also mention that the process requires an interview with the Board and some paperwork at the Town Clerk's office. Mr. Aldrich said that the forms will create a paper trail and make it easier to keep track of this data.

Mr. Dean will see that the following changes are made to the form:

- The two forms will be combined into one form.
- The character reference section will be deleted. Instead there will be a question asking if the applicant is aware of any potential conflicts of interest that may arise by serving on the committee.
- Additional wording will be inserted to recommend that the applicant contact the committee chair
- There will be space on the first page to indicate a first, second and third choice of committee
- The language under the By Submitting This Application You Understand That section will be reworded. All applications will be forwarded to the Board of Selectmen (eliminate wording that says at the Town Manager's discretion). Language will be added to indicate that the application process involves an interview with the Board and some paperwork with the Town Clerk will be necessary once you are appointed.

### **v. Pine Road Heavy Vehicle Traffic**

Ms. Gilman said that there have been several complaints regarding the volume of heavy truck traffic on Pine Road. Brentwood has zoned their side industrial which conflicts with Exeter's portion which is zoned residential. Ms. Gilman said that there is a need to coordinate with Brentwood over these complaints and establish a dialogue with them on this.

Mr. Don Squier, the owner of a home and auto body shop on Pine Road, said that the road is so bad that the trucks cause a lot of vibrations and pounding. Also there is a flooding issue during heavy rains. There is a culvert drain that has been repaired 3 times. He has spoken to the Brentwood Selectmen and was told that it was Exeter's problem. Mr. Squier said that there are 300 + trucks a day using this road during some of the busiest times. He suggested lowering the speed limit but wasn't sure that would be any help.

Mr. Quandt suggested having a conversation with Brentwood and doing a speed study. Mr. Aldrich said that Ms. Von Aulock's email suggests that there should have been some intersection upgrades which may not have been done. He asked if Mr. Dean could talk to Mr. Perkins about what the plan would involve to fix the road and what the estimated cost would be. Once they have a cost and plan to fix the road, they could have more discussion about it and perhaps go after Brentwood for some of it. They

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may have to bump another 2010 project out if there is a greater need for this one. Mr. Campbell said that if we fix the road the trucks may just go even faster.

Mr. Clement asked if there could also be some discussion with the State DOT because Route 27 is a State road. Ms. Gilman said that was a good idea. Ms. Gilman will contact Brentwood's Chair and see if they can get a dialogue going and perhaps schedule a meeting. Mr. Dean will contact the RPC to see what their position would be on this project. The DPW Director will be asked to contact the State DOT.

### **vi. Update on Fire / Police Contracts**

Mr. Dean said that there is a draft Police contract which is in good shape and they are finalizing language items. The Police Association has changed its representation. He expects that the Police contract will be ready next week. The Fire contract is being worked on but will probably not be ready for next week. Mr. Aldrich suggested that when the contracts are ready for signing someone from Police and Fire or Mr. Dean make a presentation to highlight the changes made to the contracts. The voters know the cost impact, but there is a lot more to the contracts and he feels it is worthy of highlighting those items.

### **b. Old Business**

#### **i. Review BOS Policy on Appointments**

**Mr. Clement motioned that going forward an individual may serve on 2 Boards with the exception that he / she cannot serve on 2 land use boards. Land use boards are defined as Planning, Zoning, Historic District Commission and Heritage Commission. Mr. Quandt seconded for discussion. Mr. Quandt made a higher priority motion to table this until they have a written policy change. Mr. Quandt withdrew his motion to table. Mr. Quandt withdrew his second. Mr. Clement withdrew his motion with the agreement that a written update to the existing policy will be drafted and brought back before the Board within a couple of weeks.**

Mr. Dean said that this will be an amendment to their current policy 92-13. With reference to the current 2 consecutive term limit of service on Town Boards and Committees, Ms. Gilman said that they may want to designate a difference between those boards that are regulated by RSA's and those that are ad hoc advisory. After two terms of service, an individual may then become an alternate. Mr. Aldrich said that the Arts Committee does not have any alternates so once a member serves two terms they are off. Mr. Quandt said that the River Committee is working on some very big projects and questioned whether you want to throw people off the committee in the middle of projects. She asked that all Board members look at the mission statements of their respective committees as some probably need to be updated. It may be possible to change the wording on some of these to allow for longer terms if they are not regulated by RSA. Mr. Dean will ask the Mitchell Group if they see any conflicts with current policy that would make it necessary to change reps for the HDC and Heritage Commission.

#### **ii. Maintenance Presentation on Electricity Contract / Costs**

Mr. Kevin Smart of the DPW said that a fixed term contract for electricity costs is being considered and introduced Mr. Brian Cournoyer of the Utilities Management Group in Hampton. Mr. Cournoyer said that UMG is an independent energy broker / consulting company. He works as a buyer's agent trying to find the best deals for his customers and has worked with several hundred municipalities over the course of his career. He has done an analysis of Exeter's energy costs and it is a good time to lock in a low rate. He estimated that the Town would save around \$ 50,000 per year. This is conservatively a 10 – 20% savings over Unitil's rates.

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Mr. Cournoyer is recommending that Exeter go with Constellation NewEnergy which is a Fortune 125 company out of Baltimore. They have a PUC approved contract and do a lot of business in New England. The cost right now would be about 8.4 cents per KWH. For comparison, Unitil's rate has varied from about 6 cents to about 14 cents over the past several years. Unitil's rate have averaged 10 cents over the last couple of years. It would be a 7 page contract. Mr. Cournoyer gets a commission after Exeter pays the bills.

Mr. Dean said that he knows some other municipalities with PSNH are doing some 30 day contracts and asked for his comments on that. Mr. Cournoyer said that any short term deal doesn't protect you from price increases when the market goes up. They could do a term shorter than 3 years but the rate would change. Usually the longer term you go out the higher the cost. Right now a 1 year contract would be around 8 cents while a 5 year would be around 9.5 to 10 cents. The average Unitil price right now is 10 cents per KWH. The situation right now is that middle term deals are essentially flat lining with short term deals and that is where the bargain is.

The proposed contract wouldn't be for all accounts, but rather would cherry pick the biggest 4 or 5 which probably account for 90 – 95 % of all usage. The Town's biggest 4 accounts are Wastewater, Water Treatment, Police and Fire. The Town Office building is a distant 5<sup>th</sup>. Adding a lot of smaller accounts raises administrative costs and will increase the rate. Mr. Aldrich would like to see the average cost that Exeter has spent over the past 3 years. Ms. Ravell said that she will get the data.

Mr. Dean asked what the rate fluctuation has been in the last 30 days. Mr. Cournoyer said that there has been a big drop in the last couple of weeks. The price was 9 cents to over 10 cents per KWH about 4 weeks ago. These are the lowest prices he has seen since 2003 / 2004. Unitil's rate is entirely market based, unlike PSNH which has some hydrodams. Mr. Dean asked if there would be any effect on this contract if Exeter got involved with other contracts for alternative energy options such as solar power. Mr. Cournoyer said that it is not an inclusive contract and shouldn't have any effect as long as there was no major change in usage.

Ms. Gilman said that it looks like they need a little more data from in house in order to get a bigger picture. They will postpone the discussion until next week.

Ms. Gilman asked Mr. Smart for an update on the 50/50 program. Mr. Smart explained that these were energy audit lighting upgrades. The ballasts and bulbs of interior lighting were changed out in town buildings. Phase 2 was just completed in February. One challenge is that each building has a different billing cycle. They haven't had a full cycle yet so it is really too early to have much data. Mr. Smart has asked Unitil if all buildings can be put on the same billing cycle but was told that the cycle is dependent on when the original meter was installed. Ms. Gilman said that it is common to wait a year to examine data in order to go through all of the seasons. Mr. Aldrich suggested reviewing this in 6 months in time for budget season.

### **iii. Fire Truck Bid Recommendation**

Chief Comeau said that the storm delayed several meetings and so the bid recommendation is not ready yet but should be available for next week's meeting. They are down to the top 3 vendors.

### **iv. Sign MS2 Certificate of Appropriations**

Mr. Dean said that MS2 is a 2 page document which summarizes all appropriations approved on the March 9<sup>th</sup> vote. Total appropriations for 2010 are: \$ 23,589,997.00. He explained and summarized the various categories and organization of the form.

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**Mr. Aldrich moved to approve the MS2 as presented. Mr. Clement seconded. Vote: Unanimous**

### **v. Personnel Policy / Benefits Review Committee Recommendation**

Ms. Gilman announced that the next item of business to consider is a recommendation from the Town Manager for an Employee Benefits & Personnel Policy Committee. It seems logical to combine the two items as they are inter-related. It will be an advisory committee consisting of 7 members including one Board member, 2 department heads, 3 employees and the HR Director. Union representatives are welcome to participate but will not be committee members. Ms. Gilman said that the Town already has a process to deal with these issues via Human Resources, department head meetings and the Town Manager and is not convinced we need this committee. Mr. Campbell sees this as a working group that gathers ideas and does the work of getting information. Mr. Clement was concerned about the amount of time employees would spend on this committee work instead of performing their regular job responsibilities. Mr. Aldrich said that the committee is needed as evidenced by the employee feedback and number of complaints received about the process currently in place and Mr. Quandt agreed.

**Mr. Quandt moved to start the committee as presented. Mr. Campbell seconded. Vote: 4-1 Ms. Gilman opposed.**

### **vi. Parks / Recreation Follow up: Revolving Fund Projects**

Mr. Favreau said that the pool painting is scheduled to be done in April. They are currently in the process of getting bids for work on the bath house.

Parks and Recreation would like to purchase a 15 passenger van which would allow them to run more smaller trips. A coach bus costs at least \$ 1,000 per trip which makes it tough to run many trips because they just don't get the number of people needed. They have gone out and gotten prices from 3 local dealers and the lowest price is \$ 23,939.00 from Grappone Ford. They also shopped interest rates and the lowest they could find is 4.5 % from Ocean Bank. This would result in a payment of \$ 5,218.28 per year for 5 years. They would own it after 5 years. Ms. Gilman appreciated that they went out and found a better way to finance it than what Grappone Ford was offering.

Mr. Clement asked if there were any liability concerns with a 15 passenger van and the Town's insurance. Mr. Favreau said it has been checked and LGC has no restrictions. There are some concerns with loading and they are looking into some driver safety classes at LGC in mid-May and mid-June.

**Mr. Campbell moved to approve the purchase as described of the van in the amount of \$ 23,939.00 for the Parks and Recreation Department with funding to come from the Revolving Fund with financing through Ocean Bank at a rate of 4.5 % over a period of 5 years. Mr. Clement seconded. Vote: 4-1 Mr. Aldrich opposed.**

Mr. Favreau said that the initial thought regarding renovations to the bath house was to do all of the work in the Fall. However, Public Works felt very strongly that the electricity issues warrant trying to get something done in the Spring and the suggestion has been made to deal with this in 2 phases. They have a very tight timeline as any work must be done by mid-May when they need to start filling the pool. Currently there is \$ 31,000 in impact fees. Building and Planning advised Mr. Favreau that they expect there to be around \$ 35,000 - \$ 36,000 by the end of the year. This more than covers the cost of Phase 1 with no impact to the Revolving Fund. Mr. Favreau said it also appears that there is \$ 7,424.00 in a trust fund left over from court renovation done in 2003. He still has to confirm this with Ms. Ravell, but this would be about half the cost of the tennis court resurfacing. Mr. Favreau said that once they get

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through all of these projects, Parks and Recreation will be in really good shape and will not have any big projects for awhile.

### 7. Regular Business

#### a. Accounts Payable and Payroll Manifests

**Mr. Clement moved to approve a weekly payroll warrant dated March 14, 2010 in the amount of \$ 152,764.59. Mr. Aldrich seconded. Vote: Unanimous**

**Mr. Clement moved to approve a weekly accounts payable warrant dated March 19, 2010 in the amount of \$ 182,505.28. Big Ticket Items: \$ 50,000 budget payment to the Exeter Library, \$ 10,000 to EG & G Technical Services for fire consultants / EMS services, \$ 5,000 to Seacoast Emergency Response, 4 payments to the Trustee of Trust Funds to establish reserve funds as per warrant articles ( one for \$ 5,000, one for \$ 1,000, one for \$ 35,000 and one for \$ 4,828.25) and \$ 8,163 to Unitil for gas and electricity payments. Mr. Aldrich seconded. Vote: Unanimous**

Mr. Dean wished to point out that the funds going out to EG & G Technical services are for emergency planning services and are 100% grant funded. There was a payment to them in last week's warrant and there will be some more in upcoming warrants. The total contract is \$ 40,000.00. Mr. Aldrich stated that he continues to see very large cell phone bills for some town departments and that there is a need to look into consolidating the plans and coming up with a town-wide cell phone policy that will make it fair. This item will be added to the Action status report. Mr. Dean said that there are some very big differences across departments in how they are used. Some departments use them to transmit data and some are getting reimbursed.

#### b. 2010 Budget Department Update

Mr. Dean said that during the budget process the Budget Committee recommended level funding all human service agencies. It has recently come to the Board's attention that level funding COAST results in a 5 point deduction on any Transportation Enhancement grant applications that Exeter submits. COAST's request for 2010 funding was cut by \$ 1,988. Mr. Dean asked if the Board wished to search the budget for \$ 1,988 to fully fund COAST before a decision is made on the Transportation Enhancement grant applications. Mr. Aldrich pointed out that COAST funding was a warrant article this year. Although he doesn't wish to see Exeter's grant applications negatively impacted, he is concerned about the intent and implication of this. Mr. Quandt said that Exeter is getting hurt when they should be thanked for the support they have been giving COAST. Some other towns don't contribute to COAST and still apply for transportation grants.

**Mr. Campbell moved to fund COAST fully. Mr. Clement seconded for discussion. The Board will determine at a later date where in the budget the funds will come from. Mr. Dean added that fully funding COAST is contingent upon it negatively impacting the grants. Vote: 4-1 Mr. Aldrich opposed. Motion carries.**

#### c. Tax Abatements & Exemptions

**Mr. Clement moved to approve 3 Veterans Credits totaling \$ 1,500.00. Mr. Aldrich seconded. Vote: Unanimous**

**Mr. Clement moved to approve 1 Disability Exemption for \$ 125,000.00. Mr. Quandt seconded. Vote: Unanimous**

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Mr. Clement moved to approve 4 Elderly Exemptions totaling \$ 861,004.00. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved to deny 1 Elderly Exemption. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved to deny 5 Tax Abatements for:

Map 27, Lot 12, Unit 7  
Map 27, Lot 12, Unit 12  
Map 98, Lot 12  
Map 94, Lot 24, Unit 6  
Map 79, Lot 18

Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved to approve a tax abatement for Map 82, Lot 7, Unit 4 for \$ 675.08 plus interest. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved to approve a tax abatement for Map 11, Lot 18, Unit 6 for \$ 750.99 plus interest. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved to approve a tax abatement for Map 94, Lot 24, Unit 14 for \$ 2,845.60 plus interest. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved to approve a tax abatement for Map 94, Lot 24, Unit 15 for \$ 3,549.08 plus interest. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved to approve a tax abatement for Map 81, Lot 63 for \$ 350.61 plus interest. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved to approve a tax abatement for Map 95, Lot 64, Unit 139 for \$ 696.70 plus interest. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved to approve a tax abatement for Map 74, Lot 77, Unit 13 for \$ 1,685.19 plus interest. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved to approve a tax abatement for Map 74, Lot 77, Unit 1 for \$ 1,771.15 plus interest. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved to approve a tax abatement for Map 74, Lot 77, Unit 4 for \$ 1,685.19 plus interest. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved to approve a tax abatement for Map 65, Lot 115 for \$ 31.67 plus interest. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved to approve a tax abatement for Map 52, Lot 85 for \$ 6,245.38 plus interest. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved to approve a tax abatement for Map 53, Lot 7, Unit 1 for \$ 7,867.24 plus interest. Mr. Aldrich seconded. Vote: Unanimous



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d. **Water / Sewer Abatements** – None.

e. **Permits**

**1. Request by the Exeter River Study Committee to use the Town Hall on April 29, 2010 at 6:00 pm for a public meeting and workshop.** Mr. Dean said that public is encouraged to attend this meeting regarding the Great Dam. This public meeting is to help determine what will go into the RFP that will go out.

**2. Request by Musical Arts to use the Town Hall with stage on June 9, 2010 from 2:00 to 6:00 pm for a student performance. They have requested a fee waiver.**

**3. Request by Musical Arts to use the Town Hall with stage on June 2, 2010 from 2:00 pm to 6:00 pm for a rehearsal for a student performance. They have requested a fee waiver.**

**4. Request by Rockingham Planning to use the Bandstand on May 21, 2010 from 6:30 am to 10:00 am for a bike / walk to work day breakfast.**

**5. Request by the Exeter United Methodist Church to use the Town Hall with stage on December 11, 2010 from 9:00 am to 4:00 pm for community holiday entertainment.**

**Mr. Aldrich moved to approve the permits as presented with the fee waivers pending confirmation that we have received proof of insurance and deposits. Mr. Campbell seconded. Vote: Unanimous**

**6. Permit application for Peddling – Soliciting – Vending from Ian’s Granite State Franks LLC for April 1, 2010 to December 31, 2010 at the Swasey Parkway**

Mr. Campbell said that this vendor’s application was approved last year. However the Board received a letter in June 2009 from the Swasey Parkway Trustees complaining about his behavior and requesting that the permit be revoked. The Board did not revoke his permit at that time. There were several subsequent issues last year with this vendor setting up at other places in town without permit approval. Due to last year’s issues he would not be ready to approve this permit. Ms. Gilman said that this will need to be an agenda item for the Board meeting the first week of April so the Public will have an opportunity to voice their opinion on this. The Swasey Parkway Trustees and Police will be notified and asked to comment.

Ms. Gilman presented the draft Board calendar for the next couple of months. She may change the order of the work sessions in order to prioritize some of the topics differently.

f. **Town Manager’s Report**

Mr. Dean said that work on the Gilman Park easement is in the final stretch and the deed should be ready for signing soon. The language is final. They are just waiting for the court process to be completed which will take another 30 days or so. Mr. Dean said that there is a House bill going through that is expected to pass that would eliminate the requirement to hold a deliberative session if a town wanted to hold a special town meeting on zoning. The argument is that a deliberative session has no authority to make zoning changes. House Bill # 1579 has passed the House and is headed on to the Senate. The Attorney General’s office has promoted this bill which would clarify the role that employees would play in creating warrant articles. Elected officials would be exempt. HB # 1335 has passed which allows the governing body to change the interest rate on taxes. If it passes the Senate it will become the job of the Board of Selectmen to set the interest rate on delinquent taxes.

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### **g. Legislative Updates**

Mr. Quandt said that further to Mr. Aldrich's request of last week, Bill # 411 and # 504 have not yet been scheduled. He will advise when they are on the schedule. Mr. Aldrich said the HB # 1664 would allow the State to decrease by 5% their portion of retirement costs and shift the burden to municipalities. Although there is some plan to offset it, the plan would not cover the entire cost. It would switch another 47 million of retirement costs to municipalities on top of what they've already been told to get ready for. Mr. Aldrich urges a no vote on this one. Two lawsuits have been filed on unfunded mandate pieces of retirement and Mr. Dean said that he believes one is on the docket.

### **h. Selectmen's Committee Reports**

Due to the lateness of the hour Ms. Gilman asked the Selectmen to report only top priority items.

Mr. Clement had nothing to report.

Mr. Campbell said that the Planning Board meets on Thursday.

Mr. Aldrich announced that the Arts Committee's next show featuring youth art from schools in town opens on Saturday, March 27<sup>th</sup>. It will be open on Saturdays and Sundays from noon until 4:00 pm and will run until April 18<sup>th</sup>.

Mr. Quandt had nothing to report.

Ms. Gilman had nothing to report.

### **i. Correspondence**

#### **1. Email from Kirsten Wallace re: Gun Club noise**

Mr. Quandt said that they do have sound barriers. Ms. Gilman said that the Board needs to ask the Gun Club representative to come in and report on the status of the improvements.

#### **2. Email from Wayne Flittner re: Flood Barriers**

This email regarding removable flood walls will be passed to DPW to see if they have any interest.

#### **3. NHPA website page re: Merkle Award**

John Merkle, who is the Chair of the Heritage Commission, has won the American Institute of Architects' Clinton Sheerr Award for Excellence in New Hampshire Architecture. Congratulations to Mr. Merkle!

#### **4. Letter from S. Mitchell Winter re: Budget Committee Appointment**

Ms. Gilman said that they will set up an interview with Mr. Winter.

#### **5. Letter from Exeter Monument re: Monument proposal**

This letter outlines proposed changes to the Armed Services Memorial out front. Ms. Gilman said that it will be a discussion item for another agenda. She would like to see how quickly they can act on it and is hopeful it could be completed by Memorial Day.

### **8. Second Public Comment**

Mr. Gerry Hamel said that he noticed there was no opportunity for First Public Comment tonight and hoped that was not going to be a new standard. He feels that a First Public Comment is important. Regarding the Pine Road condition, it might be advisable to have the DOT look at it and perhaps put a weight restriction on the road.

Mr. Bob Eastman said that with reference to Mr. Dean's comments on the MS2, he reminded everyone

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of budget appropriation changes made at Deliberative Session and said he hoped that the Board would take their fiduciary responsibilities seriously.

### **9. Next Meeting / Other Business**

Next week the Board will be going to North Hampton for a 5:30 pm meeting with the North Hampton and Stratham selectmen and State Representatives that are available. There will be a regular meeting next week and not a work session. Agenda items will include the Fire Engine Bid Recommendation, Electrical Contract and Boards & Committees Fair. Mr. Aldrich will have a draft pamphlet on the Town boards and committees.

### **10. Non-Public Session**

**Mr. Aldrich motioned to go into Non Public Session for discussion of RSA 91:a II (a) compensation. Mr. Campbell seconded.**

**Mr. Clement called the roll: Mr. Quandt: aye; Mr. Campbell: aye; Ms. Gilman: aye; Mr. Aldrich: aye; Mr. Clement: aye.**

### **11. Adjournment**

The Board emerged from Non Public Session and adjourned at 10:30 pm.

Respectfully submitted,

Jennifer Mancinelli  
Recording Secretary