

FINAL MINUTES

BOARD OF SELECTMEN MEETING

MINUTES

October 17, 2011

1. Call Meeting to Order

Chairman Robert Aldrich convened the Board at 7:00 pm in the Nowak Room of the Town Office Building. Other members of the Board present were: Selectman Frank Ferraro, Selectman Matt Quandt, Selectwoman Julie Gilman, Selectman Don Clement and Town Manager Russ Dean.

2. Public Comment

Alan Bailey of Green Street requested to know when a meeting would be scheduled to review the results of the 2010 audit. Chairman Aldrich said that he believes all of the on site work has been done and the draft is in. The meeting should be scheduled within the next couple of weeks. Mr. Bailey felt that this information on the financial results of 2010 would be helpful for budgeting. Chairman Aldrich said that the information can be forwarded to the Budget Committee as soon as they have it.

3. Minutes & Proclamations

a. Regular Session Minutes of September 12, 2011

Chairman Ferraro submitted some language that he requested be inserted into the discussion on water and sewer credits on page 8. He suggested striking the last 3 lines of the minutes on page 8 in the paragraph that starts "Chairman Aldrich" and the 3 lines would start with "There was board consensus..."

Mr. Ferraro moved to amend the minutes of September 12, 2011. Mr. Clement seconded for discussion.

After a brief discussion it was determined to go up until "on line to the billing software" and cut the rest of the paragraph and then add the first 4 lines of Mr. Ferraro's revised language up through "the previously underbilled accounts", but cut the last sentence.

Mr. Ferraro agreed to amend his motion to amend the minutes. Mr. Clement amended his second for discussion. Vote: Unanimous

Mr. Ferraro moved to approve the Regular Session Minutes of September 12, 2011 as amended. Mr. Quandt seconded. Vote: Unanimous

b. Regular Session Minutes of September 26, 2011

Mr. Quandt moved to approve the Regular Session Minutes of September 26, 2011 as presented. Mr. Clement seconded. Vote: Unanimous

c. Special Session Minutes of October 4, 2011

Mr. Clement moved to approve the Special Session Minutes of October 4, 2011 as presented. Mr. Ferraro seconded. Vote: Unanimous

4. Appointments

Chairman Aldrich said that they have received a request from Todd Piskovitz of 22 Forest Street who would like to volunteer for the Lamprey River Watershed Committee. Selectman Clement explained

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that this requires a nomination from the Town because it is a State appointment.

Mr. Clement moved to nominate Mr. Piskovitz for appointment to the Lamprey River Watershed Committee. Mr. Quandt seconded.

Mr. Ferraro wanted to see his nomination form and get some information about this individual. Mr. Piskovitz had a nomination questionnaire provided to him from DES that he showed to the Board. Mr. Piskovitz has 10 years of experience as an environmental consultant and feels that he could bring a different perspective to the committee with his knowledge of groundwater and contaminated site cleanup.

Vote: Unanimous

5. Departments Reports – None

6. Discussion/Action Items

a. New Business

i. Don Brabant – Budget Committee Update

Budget Recommendation Chair Don Brabant explained that their process has started and they have already had two meetings. Their subcommittee process has also started. The subcommittees will deal with the bigger departments while the smaller departments will be handled by the whole committee as a group. It is their hope and plan that the Board of Selectmen will participate in their process. Their group wants feedback from the Board of Selectmen in order to create a unified process going forward which will be better for the Town of Exeter.

Their plan is that if a CIP item is a line item in the budget they will make a recommendation on it. They will handle all of the CIP items that would be on the warrant in one meeting and develop some sort of hierarchy of what they feel is most important. Mr. Brabant asked the Board to think about giving the Budget Committee a goal and let the committee see if they can get to that goal. Chairman Aldrich said that the Board has discussed giving the Budget Committee some direction a few weeks ago, but was hesitant to come up with either a percentage or a dollar amount until they knew the health insurance rate. The health insurance rate is expected to be released on Friday, October 21st. The Board can have more discussion about setting such a goal at next week's meeting.

ii. Approve Riverwoods Tax Agreements 2011

Attorney Tucker explained that Riverwoods is now Exeter's largest taxpayer. State statutes are at best unclear about the taxability of a place like Riverwoods. As a result 16-17 years ago when Riverwoods was first designed an agreement was reached between Riverwoods and the Board of Selectmen as to how it should be taxed. This tax agreement has remained the same since then. Under agreement Riverwoods pays full property tax (school, town and county) on its residential units but does not pay property tax on the nursing home units. This is largely because the people in the living units subsidize the nursing home units. They pay property tax on the outbuildings and land. They pay property tax on buildings that serve both the residential and nursing home units (such as kitchens) at a prorated rate. The pro-rated paying rate is typically about 78%. State law says that these annual agreements must be made prior to November 1st so he is here every year at this time to have these tax agreements signed. There are 3 agreements because there are 3 assessment cards.

Mr. Ferraro moved to accept the 3 tax agreements with Riverwoods, the Ridge and the Boulders of Riverwoods Company. Mr. Quandt seconded. Vote: Unanimous

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iii. Review Proposal from Exeter Cemetery Association

Attorney Tucker explained a proposal from the Exeter Cemetery Association. State statutes require every Town to have a burying place and to bury paupers. Exeter last had a cemetery that the Town owned over 100 years ago. The Exeter Cemetery Association, which is a private nonprofit cemetery association, has a cemetery on Linden Street. The Exeter Cemetery Association has accepted all burials from Exeter (both paying or pauper) for the past 151 years. As a practical matter this situation has been working for a very long time. However State statutes require the Town to either have a burying place or have a contract with someone who has a place to bury people from Town. Therefore an agreement has been prepared between the Cemetery Association and the Town to formalize what has been going on for the past 151 years.

Mr. Quandt asked if this agreement has been reviewed by Town Counsel. Chairman Aldrich said that it had not and was not sure that it was worth the expense to do so. Mr. Ferraro felt that it would be good for Town Counsel to review it and provide feedback. Chairman Aldrich said that last year the Board of Selectmen made the decision to move forward with electing cemetery trustees but the decision was made too late to get it on the ballot for 2011. The plan was to open up the period for nominations in this year's cycle. He asked if this had any effect on this agreement. Attorney Tucker advised that it doesn't affect this and the Town still needs the agreement. He explained that there are 3 choices for cemetery trustees 1) the Town can have independent trustees 2) the Board of Selectmen can be the trustees 3) the Town Manager can be the cemetery trustee. Mr. Ferraro referred to the policy that interment of paupers is by cremation only and questioned what would happen if a pauper had religious beliefs that did not believe in cremation. Attorney Tucker was not sure of the answer and said that this has never come up. Chairman Aldrich said that they can look into this question further. The agreement will be forwarded to Town Counsel for review.

iv. CIP Project Reviews – Town Office Modular HVAC, Town Hall Office Expansion, DPW Complex Emergency Power, Historical Society Roof Replacement

Ms. Perry gave a power point presentation on the 4 CIP maintenance department projects up for discussion tonight. The Town Office Modular HVAC System at a proposed cost of \$235,000 would provide new heating, ventilation and air conditioning to the 15,000 square foot Town Office building. Currently they do not provide for any formal air exchange in this building. Heat is provided through 3 gas fired boilers in the basement. The current heating system was installed in 1978 and is nearing the end of its life. They would prefer to replace it under a planned effort versus an emergency replacement. It has a single loop and is fairly inefficient compared to today's standards. Air conditioning is provided through 15 separate window mounted units. This is inefficient and puts a heavy electrical load on the building's systems. There are times when brownouts occur in the building. The units are very loud and have a fairly short lifespan. They do have 3 newer ductless splits in the lobby area. The proposed new cooling system would have 20 ductless AC splits and 4 to 5 condenser units.

DPW would also recommend making some energy efficiency improvements in the building at the same time which would include attic insulation and window retrofit sash replacements. Ms. Gilman expressed concerns with the window sash replacements and pointed out that there are other options to tighten up the windows and still keep the original sash. She asked to see some of these other options priced out and Mr. Smart said he would be glad to do that.

Mr. Ferraro asked what the expected payback would be. Mr. Smart did not have a calculated payback at this point, but said that there would be some reduction in electrical use and energy consumption. Air

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quality would also be improved. Two of the boilers would be removed and replaced with one boiler. Zoning and piping changes are also included so that there will not be one continuous loop and there will be some control over zones within the building. This will cut down on the run time for boilers and natural gas consumption. Mr. Dean said that the current natural gas and electricity budget for this building is \$ 21,600. Chairman Aldrich said that calculating some type of expectation of payback is reasonable and can only help the project. He felt that they should come up with a new title for this project because the current one doesn't accurately reflect the scope of it.

The next proposed CIP project is the Town Hall Office Expansion in the amount of \$81,200. It would allow for movement of some offices in the Town Office building over to the Town Hall building at 9 Front Street. It would alleviate some overcrowding in the Town Office and utilize vacant office space in the Town Hall. It would also renovate some unused space in the Town Hall and provide enhanced business access to taxpayers and other customers. The former Provident bank location space has recently been renovated and is currently vacant. It would be very easy to make some modifications to this area so that offices could occupy that space. The other half of the project would be to do renovations in the former District Court which is currently being used for storage. Renovations would be done to the flooring, lighting and basic utilities. Partitions, alarms and upgrades to the HVAC system would also need to be installed. Cost estimates for this project were developed by DPW in consultation with the Town Manager and Planning Department. This is something that the Board talked about extensively last year but which didn't get done when the cost was realized. Mr. Dean added that they are endeavoring to get the right checks and balances in the collection part of the financial operations. As part of this year's budget they have asked to revisit this issue and see if there are ways to address it. One of the concepts they have is to better utilize the space in the downstairs area of the Town Office Building. In order to do that most effectively they would have to look at renovating this space at the Town Hall in order to effectively move offices around. Last year it was suggested that Planning could be the department to move over there but no final decision was made.

Don Clement asked if the total cost includes moving expenses and Ms. Perry said that it does include some estimate for moving, although the hope would be that much of this work would be done internally. There was no inclusion for new office equipment and several Board members commented that it is inevitable when moving into a new space that something will be needed. Ms. Gilman asked if there would be a cost differential associated with which department moves over there. Ms. Perry said that the Town Clerk's specific need for a special vault for archival storage is probably higher than that of other departments. They did include a fairly significant air quality improvement but Ms. Perry was not sure if it would meet the Town Clerk's storage requirements. The estimate was created based on the Planning Department being the one to move over there. She would expect some slight variation depending on which department goes but it would probably be fairly similar.

Ms. Gilman said that at least one business has expressed interest in renting the space and she inquired about the timeline for this project. Chairman Aldrich said that no one has formally approached the Town about this yet. Mr. Dean said that they could bid this out if they were interested in having someone in there. Chairman Aldrich said that they cannot have two things happening in the same space. They either need to decide that they want to move forward with the renovation or move forward with finding a tenant for the space. This would need to be decided fairly quickly. If there is some serious interest in renting this space, the Board would like to hear about it. Mr. Ferraro pointed out that offices that move to the Town Hall would leave vacant space behind in the Town Office building. He asked if there were amounts included to relocate people into the newly vacated space so that it was not left empty. Ms. Perry said that there are some minimal amounts in the budget for this building for painting and carpeting, but they didn't know what would be appropriate not knowing who the occupant would be.

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It would seem that the Board would want to make a decision soon as to which departments would move so that they can get a true cost. Mr. Dean said that Economic Development does not yet have a presence which is another point to consider. Mr. Ferraro suggested considering auctioning off some items at the old court building such as the jail doors and court bar if this project proceeds as he believes they would have some value as opposed to letting a contractor dispose of them. It was pointed out that the Historical Society should be notified. Mr. Dean did a lot of research on this project in 2010 and was asked to resurrect that documentation so that they can put this on the agenda for future discussion at some point within the next several weeks.

The next project is for emergency power at the DPW complex. This would include a 100 KW generator to serve as an emergency electrical standby power system for the highway garage, mechanics bays and fuel island, as well as a second 20 KW generator for the administrative offices. These are all critical to emergency operations and first responder services. Because they currently do not have any formal power for this system, they do not have any fire or CO2 alarms, water or heat. Chairman Aldrich asked if they could use one generator to do all of this instead of two. Mr. Smart explained that the power systems are separate and cannot be tied together so this is why they need two generators. Mr. Aldrich and Mr. Clement suggested having this item be in the budget instead of a warrant article. Mr. Clement asked if there are any grants that could be pursued to assist with this cost like the grant that the Safety Complex got this year for their generator. Ms. Perry explained that there were not any grants available when they started this process, but they have since been told that there may be some grant money and they are pursuing this.

Mr. Clement asked what happened to the safety complex generator that was replaced. Mr. Smart said that it is currently sitting on a shelf at the DPW. It is a 50 KW generator and they do not have a place for it. It is too large for the administrative building but only half as powerful as the one needed to power the highway garage. Mr. Ferraro suggested putting it into the administrative building and that it shouldn't be a problem to have extra generation of power. It would save part of the cost of this project. Mr. Smart said that it is a 35 year old unit with some mechanical issues that have been deferred. It is not an exterior unit so a shelter for it would need to be constructed and there would be some other costs to setting it up. Mr. Ferraro pointed out that the output must be consistent if you will be operating computers on it which would be important for the administrative building. Mr. Smart said that ideally you do want to match the load and draw.

The last proposed CIP maintenance project is replacement of the Historical Society roof at an estimated cost of \$118,000. This building is a Rotch & Tilden design, was constructed in 1894 and is eligible for the National Register. It is the former home of the Exeter Public Library. It has a rare yellow Cleveland brick, a slate roof, copper flashings and copper gutters. The slate roof is the original roof so it is almost 120 years old. Average life expectancy for a slate roof is 100 years. Slates are lifting, flashing is leaking, gutters are missing / damaged. The roof leaks and there has been water damage. The building houses historical records and a significant art collection. The potential for serious damage exists.

Mr. Ferraro agrees that they need to preserve the building and its contents. The roof needs to be replaced but \$118,000 is a heavy cost. There are some very good architectural shingles available that would give the same look as the slate and gutters that give the appearance of copper. He suggests getting a quote for doing a very nice roof that isn't slate and selling the slate that is currently on there. If certain groups, such as the HDC, Heritage Commission or the Historical Society, feel strongly about having a slate roof, the Town could contribute the amount of money that they would spend for an architectural shingle / gutters and the groups would need to raise the rest of the money. In this economy he feels that \$118,000 is too much to ask people to pay when there are other good options available. He

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would like to see this happen rather than have it get voted down. Ms. Gilman said that there are look-a-like materials available but they come with a different shelf life so there is tradeoff in the long term cost. The bidding process may reduce the price. It is also important to recognize that it is a nationally registered historic district which can be withdrawn if too much change takes place. This project would also be eligible for LCHIP grant funding which can be pursued. She believes that it would be the wrong role model for the Town to start replacing significant architectural features of historic buildings in this manner.

Mr. Clement said that Exeter is blessed with a lot of historic building and the bad news is that you have to repair them. He pointed out that there are several other roof replacements in the CIP this year: the civil war memorial, two rubber roofs at the WTP, slate roof on the water works building and the Raynes Barn. He suggested that there may be economies of scale in getting bids on several of these together. The Board is going to have to make a decision on where the priorities are for roof work this year. Mr. Clement said that the damage at the Historical Society is real, but they can probably hold off a couple of years on this with some maintenance work. There was some brief discussion about options such as getting one quote for the two slate roofs that need to be replaced (Historical Society and water works building) or doing stop gap repairs. Mr. Dean pointed out that a capital reserve is a potential option and he feels that the Town will never get it cheaper as the bid environment is extremely favorable right now. It is possible to bid a project before a Town vote if they made the bid contingent on the appropriation being made for the project. Chairman Aldrich will work with the Town Manager and Ms. Perry to follow up on this and they can have more discussion at a future date. He would like to do some preliminary research on getting a quote as per Mr. Ferraro's suggestion to see what the price difference would be.

b. New Business

i. Water/Sewer Bill Credits

Chairman Aldrich summarized details of a recent memo to the Board from Mr. Dean which outlined recent action taken with regard to water / sewer corrective bill credits. Finance has created a program to calculate a credit for every account based on percentage of total usage. The first step was to calculate the percentage of total usage for each account and this was done with usage data for the first 9 months of the year. The second step was coming up with a number and the amounts used in the current examples were the amounts of corrective bill revenues collected to date in 2011. Now that the program exists, if the usage data or revenue numbers change, it is simply a matter of punching in the new number to the program in order to calculate the desired credits.

The incremental revenue on the 33 accounts, which is the difference between what was expected versus what was actually billed, will not be known until after the December 31st billing. The recommendation from Mr. Dean and the Finance Department is to wait until after December 31st when the final numbers are known, enter the final numbers to the program to and apply the credits beginning with the billings in February, March and April. It will take 3 billing cycles to get to everyone. The other piece of this is that they can use full year consumption data for 2011 if they wait until December 31st instead of 9 months of data. They are working with Munismart to see if there is a way that the spreadsheet program data can be transferred automatically instead of having to enter every single credit manually for each account. They are prepared to do the manual entry if they have to but it would be a lot of work.

There was some brief discussion about this. Mr. Ferraro pointed out that they should be using the total amount billed, not collected. It was decided that they will move forward with this plan to wait until December 31st and then use a full year's consumption data to calculate the usage percentages. At that point they can determine what the exact numbers are in terms of the corrective bills plus the incremental

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revenue, add the two numbers together and input it to the program and give one credit in February/March/April to capture all of the water and sewer users. This will be put on the agenda again in January.

ii. Tax Deeds Update

Chairman Aldrich made reference to the memo to the Board from Mr. Dean regarding tax deeds. Two weeks from tonight the Tax Collector Mr. Dean will present the tax deeds to the Board based upon the latest list at that time. The good news is that the list continues to dwindle down. They met with a tax attorney from the Mitchell Group on Friday and there is one issue that has come up. There are 22 properties on the list that have avoided all attempts to be served notice of deeding by regular mail and so remain unnoticed at this point. They continue to work through a process on this that may actually involved serving notice in hand in addition to more mailings and they expect to be able to meet the notification requirements for those properties. However, these 22 properties will not be on the list for October 31st. They will be dealt with at some point probably in November when the attorneys say that the Town has successfully met requirements. At this point it looks like there will be 34 or fewer properties on the list for the 31st.

On October 31st, the Town attorneys and Mr. Dean will have ready for the Board not only the deeds, but also the Notices to Vacate and the Notice of Right to Repurchase. All of that paperwork will be served at one time rather than doing it 3 separate times. The attorneys have researched the lot rent and liability issues. When the Town takes the property they are not responsible for past lot rent or past liability, but are responsible for any fees going forward. Ms. Geis continues to research what the fees are for each property and information continues to be updated daily. Each park is a little bit different in terms of fee structure, but it is fair to say that average lot rent is between \$375 and \$500. Mr. Dean has pointed out options they have once they take the properties as the Town doesn't want to hold on to them forever.

There was discussion about this process. Ms. Gilman expressed concern about the 15% penalty included in the right to repurchase once the Town takes the deed and asked if all folks are truly cognizant of it. Chairman Aldrich said that the 15% is set by State law and it has been explained in the letters sent to property owners. In addition to that once the Town takes the deed, the property owner has to pay all back taxes due plus fees and the 15% penalty under the right of repurchase. The list currently includes ten vacant properties and 4 that are land only. Mr. Clement asked if any of the properties on the list are not owner occupied. Chairman Aldrich said that they are working on tracking down this information because service to both owners and tenants is required and the lawyers are working on letters for these cases. Many of these properties have financial liabilities in terms of lot rents or condo fees. Mr. Dean's memo points out that there could be some agreement reached with the parks to waive that or pay it upon settlement. There is just one property with some environmental liability but after investigation Chairman Aldrich said that they are not concerned about it. Mr. Ferraro asked if the Town would recover any lot rents that it pays prior to sale. Mr. Dean said yes. Chairman Aldrich said that it can be included in the category of "all other associated tasks". It was noted that it is important to track all costs in this process to include lot rents, condo fees, costs to change locks and possibly even include time spent. Some of the properties have assessment values that are so low that the Town will not get its money back. Mr. Dean said that the intent would be that the Town sit down with an auction house that has an experience with this, look through each property and the Town's costs and set a minimum bid.

Chairman Aldrich summarized the plan going forward. The recommendation and thought is to do all of the paperwork (for deeding, Right to Repurchase and Notice to Vacate) on October 31st so the homeowners get it all at one time. This implies that the Town is not going to get into the business of being a landlord. The plan would be to not hold onto these properties for any significant amount of time after taking them. They would find a way to turn them quickly by using a third party such as an auction

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house. Chairman Aldrich asked if anyone had any significant objections to this and there was no response. Ms. Gilman asked if there were any rules for compassionate circumstances. Chairman Aldrich said that they are not allowed to not take a deed for hardship or compassion. State laws give very specific reasons under which the Town can not take a deed. Careful review of these properties have not found there to be any that fall into these categories. Any property owner in this circumstance is encouraged to come into the Town office and speak to Sue Benoit and/or try to find some way to pay what is owed for 2008 to at least get through this year. Chairman Aldrich pointed out that there are several properties still on the list with amounts owed less than \$1,000 and representatives from the Town are trying to reach out to these people. Chairman Aldrich will keep the other Board members updated on the notification issue with the 22 properties.

iii. Bid Award: Jady Hill Phase I

Ms. Perry stated that the DPW department recommends award of the bid for the construction of Jady Hill Phase I to J.A. Polito & Sons of Shrewsbury, MA in the amount of \$1,770,763. Three bids were received and opened on September 26th for this project which have been thoroughly reviewed. It should be noted that the original bid submitted by J.A. Polito & Sons was for 1.8 million. Some modifications were made to the original plan so that it would fit within the funding available. The balance of the work would be included in Jady Hill Phase II.

Mr. Quandt moved to award the bid for Jady Hill area utility replacement project Phase I to J.A. Polito & Sons of Shrewsbury, MA, for \$ 1,770,763. Ms. Gilman seconded. Vote: Unanimous

Ms. Perry stated that DPW is recommending contract amendment for Wright Pierce engineers to provide the construction administration and inspection engineering services for this project. Wright Pierce is the engineer of record for both phase I and phase II. They are best suited to provide interpretations as they become necessary during construction. Their proposed cost of \$125,400 is roughly 7% of the estimated construction cost and is well below expected for a project of this size. There was some brief discussion about the financial aspects of this.

Mr. Ferraro moved to extend the Wright Pierce contract for Jady Hill area utility replacement project Phase I by an additional \$125,400 to \$ 468,400. Mr. Quandt seconded. Vote: Unanimous

DPW recommends award of bid for a wood chipper to MB Tractor & Equipment in the total cost of \$34,539.96. Mr. Clement asked where in the 2011 budget this money was coming from. Mr. Dean explained that it would come from the budget line item for vehicles and equipment. It will not impact the default reserve. Mr. Clement has seen the wood chipper and knows that it is in terrible shape. However, he asked if this is the priority because there is a lot of Town equipment that needs replacing. Ms. Perry and Mr. Perkins confirmed that this is what they want. Mr. Ferraro reminded people that this was on the warrant in 2009 and was voted down.

Mr. Quandt moved to award the bid for the Brush Bandit wood chipper for \$ 34,539.96 from MB Tractor in Tilton, NH. Ms. Gilman seconded. Vote: Unanimous

Mr. Ferraro requested an update on the status of the culvert design/permitting because he got another call from an irate citizen about Swasey Parkway being closed. Ms. Perry said that the Norris Brook culverts are in design with CMA Engineers of Portsmouth. The field survey work has been completed. This week they are working with NH Borings to conduct subsurface investigations and borings along both sections of the roadway and culverts. They will be able to finish the permit applications for DES after they have this information. They have been in communication with the Wetlands Bureau but have

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not yet submitted the application. They do expect an expedited permit review. Things are moving along.

iv. Groundwater Treatment Plant Site Process Update

Chairman Aldrich explained that this agenda item was intended to be a discussion about the groundwater treatment plant site process in terms of picking a site between Gilman Park and Lary Lane. The Board wanted to make the decision on a definitive location before getting too much further along in the review process for this warrant article. This article lost last year by only a small amount of votes and feedback indicated that the lack of a designated site might have swayed some votes. DPW was tasked with researching the Lary Lane site some more and bringing the results/recommendation back to the Board of Selectmen. Since then he has learned that the Planning Board has scheduled a conceptual site review of both sites on October 27th. Abutter notices have been sent out for this hearing. It took many by surprise when this was going back to the Planning Board and not the Board of Selectmen first. Since then there has been some research on this process and it appears that the RSA was not followed in this case. Town projects going before the Planning Board follow a different timeline than regular projects. Chairman Aldrich said that they need to talk about what happened and try to identify a solution and plan for next steps moving forward.

Don Clement feels that it is inappropriate to put this facility in a Town park. It will generate a certain amount of additional traffic and noise. Security lighting will also be needed. All of this is an intrusion on a residential area.

Mr. Clement moved that the Board of Selectmen not support a groundwater treatment plant at Gilman Park if this project goes forward. There was no second. Motion fails.

Chairman Aldrich said that it is early in the discussion and they have not yet been able to have the discussion about the feasibility of the Lary Lane site. Mr. Ferraro agreed that it was premature to take a position. He said that the purpose of authorizing DPW to spend money for consultants to explore whether or not they can actually put this facility at Lary Lane as well as what it might essentially look like. Mr. Ferraro is very upset about how things transpired here and feels that this project was hijacked from the Board. This should not have been presented to the Planning Board first since the direction to do this work came from the Board. The Board of Selectmen did not give any authorization for funding to send out abutter's notices and there is no legal application before the Planning Board. He recommends that letters be sent out to abutters stating that this was a mistake and there is no proceeding before the Planning Board. He would like to see the results of the consultant's work at some point on whether or not this could fit at Lary Lane and he feels that there should be some sort of repercussions. It should never have been put out to the public before the Board decided what they wanted to do. Chairman Aldrich said that it is not the Board's intention to make a decision without getting feedback. The intention of the Board is to choose a site for the groundwater treatment plant before it gets printed on the ballot and getting the information on the Lary Lane site was the first step in the process. They are capable of having their own public hearing. Mr. Dean thought that the plan would be to cancel the meeting on the 27th unless the Board feels otherwise. Chairman Aldrich would like to see wording in the meeting cancellation notice that indicates that there will be an opportunity for public input at some point in the future as this process moves along.

Mr. Ferraro moved that the Planning Department send out letters to abutters as discussed. It can go to the Town Manager first for review. It should clearly state that it was a mistake to have sent those out. Secondly, the Board approved spending consulting dollars for the effort they have been all been discussing (they all have the similar recollection) to do the conceptual work and they

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authorized no money for sending out abutter's letters and from what he understands the consultant sent out those letters and it can be assumed that some amount of work was done by the consultant for coming up with the application. Those dollars were not authorized and somebody's budget has got to get hit for that. The DPW should bring the consultant's information to the Board as the Board had originally asked at some point that the Chair can schedule. Finally, some type of repercussions should come from this. Some people acted on their own contrary to the directions of the Board and it has put the Board in an awkward situation that they have to worry about the wording of some letter that should never have gone out. Mr. Clement seconded for discussion.

Mr. Quandt would like to see a proposal on repercussions before voting on this. Chairman Aldrich would like to have more dialogue on this. It was pointed out that a discussion on repercussions should probably be done in a non public session.

Vote: 1-3 Mr. Quandt, Ms. Gilman and Mr. Clement opposed. Motion Fails.

Mr. Ferraro moved that the Planning Department send out letters to abutters as discussed. It can go to the Town Manager first for review. It should clearly state that it was a mistake to have sent those out. Secondly, the Board approved spending consulting dollars for the effort they have been all been discussing (they all have the similar recollection) to do the conceptual work and they authorized no money for sending out abutter's letters and from what he understands the consultant sent out those letters and it can be assumed that some amount of work was done by the consultant for coming up with the application. Those dollars were not authorized and somebody's budget has got to get hit for that. The DPW should bring the consultant's information to the Board as the Board had originally asked at some point that the Chair can schedule. Mr. Clement seconded. Vote: Unanimous

7. Regular Business

a. Bid Openings – Solar Array and Wood Chipper

Chairman Aldrich opened 6 bids for the Solar Array / Power Purchase Agreement as follows.

1) Revision Energy on Commercial Drive, Exeter

*This bid is contingent on confirmation that it was actually received prior to 4:00 pm.

Total cost for a 50KW roof mounted system is \$ 178,821.00 (funded by \$100,000 in grant funds plus \$48,330 solar rebate from the NH PUC. Revision Energy would carry the \$ 30,491 balance. A direct purchase project would be cash positive from day one. Annual revenues from energy savings & sales would exceed \$7,000 based on 12.4 cents per kilowatt energy and \$25 REC's. Debt service in years 1-5 would be \$6,738.00. Beginning in year 6 the Town would reap full ownership benefits. Length of contract is 5 years.

2) Revolution Energy, Dover, NH

Rate one is a 10 year staggered rate with zero down payment, 7 cents KWH for first 2 years. If the PUC rebate is not secured it will be 8 cents. Rate would be 11 cents KWH with a 2% escalator for the remainder of the contract. If the PUC rebate is not secured it will be 12 cents. This is projected to save \$ 33,700 over the grid during the contract. Contract is for 10 years.

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3) Independence Solar, Boston, MA

20 year contract, 8 cents KWH plus 2% per year, 20 years with annual purchase option after year 7. Range is from 8 cents in the first year to 11.65 cents in year 20.

4) Energy Efficient Investments, Merrimack, NH

10 cents per KWH and allow Town to take full ownership of the solar panel 5 years after installation.

5) Lamco Solar, Newark, NJ

4 options: a. 20 year PPA 12.99 cents per KWH with 3% escalator
b. 7 cents per KWH with 2% escalator for 20 years
c. 1 cent KWH with annual escalator of zero for 20 years
d. groundmounted array right to the Town of Exeter with no purchase agreement

6) Solect, Hopkinton, MA

Rate would be 8 cents per KWH for first 5 years. In year 6 Town has option to buy or continue with contract for another 10 years. If Town chooses to continue with the contract, the price would increase in year 6 through 15 at 5% per year. After 15 years the Town would own the system outright.

Mr. Clement moved to refer the bids to the Energy Committee for review. Mr. Quandt seconded. Vote: Unanimous

b. A/P and Payroll Manifests

a. Accounts Payable and Payroll Manifests

Mr. Ferraro moved to approve an accounts payable warrant for checks dated 10/7/2011 in the amount of \$ 300,342.70. This includes a payment to the NH Retirement System. Mr. Clement seconded. Vote: Unanimous

Mr. Ferraro moved to approve an accounts payable warrant for checks dated 10/14/2011 in the amount of \$ 197,491.72. Mr. Clement seconded. Vote: Unanimous

Mr. Ferraro moved to approve an accounts payable warrant for checks dated 10/14//2011 in the amount of \$ 48,600.63. This is the lease payment for the SCBA equipment. Ms. Gilman seconded. Vote: Unanimous

Mr. Ferraro moved to approve a weekly payroll warrant for checks dated 10/5/2011 in the amount of \$ 168,454.20. Mr. Clement seconded. Vote: Unanimous

Mr. Ferraro moved to approve an accounts payable warrant for checks dated 10/12/2011 in the amount of \$ 161,253.73. Mr. Quandt seconded. Vote: Unanimous

Mr. Ferraro moved to approve an accounts payable warrant for checks dated 10/5/2011 in the amount of \$ 2,052,363.00. This includes the school funding payments. Mr. Quandt seconded. Vote: Unanimous

c. Budget Updates

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Wednesday, October 26th will be an all day Budget Committee meeting. Health insurance numbers will be out on Friday.

d. Tax Abatements & Exemptions

The Town has received a request from the residents of Map 71, Lot 96, Unit 1 to waive interest and costs on their July 2010 tax bill. They purchased the home but this bill went to the old owners. They received the notice of the impending tax lien not knowing that the costs were not settled at closing. Mr. Dean said that he would recommend not approving it. Tax laws make sure that it is incumbent on the owners of record to know where their bills are. This is a precedent issue that could create a problem. The Board chose to take no action on this. Mr. Dean will communicate this back to the owners.

e. Water/Sewer Abatements – Tabled until next week

f. Permits

1) Use of Town Hall on November 2, 2011 for a Public Forum on preventing child abuse sponsored by the Exeter Area Women's Club from 9 am to noon. They will be only serving coffee.

Mr. Quandt moved to approve the permit as presented. Ms. Gilman seconded. Vote: Unanimous

Mr. Ferraro pointed out that he has seen this event advertised in the press already and wanted to stress to groups / individuals that they get their application approval prior to releasing it to the press.

2) Use of the Town Hall Main Floor on June 1st, 2nd and 3rd of 2012 for their annual yard sale

Mr. Clement moved to approve the permit as presented. Mr. Quandt seconded. Vote: Unanimous

3) Use of the Town Hall from January 1st-8th by the Oyster River Players for their annual production

Ms. Gilman moved to approve the permit as presented. Mr. Clement seconded. Vote: Unanimous

g. Town Manager's report

Mr. Dean said that they had a successful Fall Festival this past weekend thanks to the Chamber of Commerce. The Making Strides Against Breast Cancer Walk was yesterday and had quite a few participants walking around town. Congratulations to Peter Tilton on his promotion to sergeant at the Police Department. They continue to work on the Budget. They are working on finishing the MS5 as well. He reminded everyone that the Town still does have just the one individual in the tax office. He would like to have further discussions on how they might improve some processes and ease the burden on this individual.

Chairman Aldrich cast a vote for Mr. DeVittori in a recent election on behalf of the Board of Selectmen. Mr. DeVittori is running for an at-large position on the Board of Directors for the NH Association of Assessing Officials.

h. Legislative Update

Mr. Quandt said that they are still working on finishing up their retain bills. They have added a couple

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of study committees. They will finish up by January 3rd and then it will be time to start a whole new legislative session.

i. Selectmen's Committee Reports

Selectman Ferraro said that the Planning Board met last week in a short 4 minute meeting. They approved a bond reduction. He is becoming concerned that he has not yet received a copy of the proposal for the Pine Road safety study which he requested from the Brentwood Town Planner more than 2 weeks ago. He left a message for this individual today and has not yet gotten a call back. Work on the town website design is proceeding. He is hoping to see some mockups from the volunteer working on the website soon. They have gotten good feedback from the departments / committees in Town and are starting to get page counts from them on how much material they want to have. Mr. Ferraro will put together a bullet point summary of what is needed as a reference for the various committees. When they get to the final point they will need to pay someone to code and populate the pages

Selectman Quandt said that the Cable Committee has a lot going on. They have discussed the budget and upgraded some equipment. The school has hired an employee, Doug York, to cover the educational channel in the studio. The Town gets a certain amount of hours per week with that. Their employees are now wearing a uniform.

Selectman Aldrich had a Conservation Commission meeting last week. They received a report on the Forestry Management Plan for the Henderson Swasey forest. It is expected to be completed by the end of the month and then the Conservation Commission is going to look at a harvest in the forest. There is a graduate student interested in updating the plan for the Oaklands Forest as part of a master's project. The Arts Committee is meeting next week.

Selectwoman Gilman said that the EDC reviewed the results of their visioning session at their last meeting and came up with some top goals. They are going to reorganize the committee leadership and subcommittee tasks. They have set out some 3 month, 18 month and 3 year accomplishment goals. Transportation meets tomorrow afternoon to discuss their funding over the next year. The taxi ticket vouchers have all run out. The Energy Committee is meeting Thursday at 7:30 to review the Solar Array bids. The ZORC has a subcommittee that is looking at form based code using Portsmouth Avenue as a Pilot area. The HDC also meets on Thursday and has 5 signage/window applications to consider. The Heritage Commission met in conjunction with the HDC regarding the reconstruction of a retaining wall behind the Green Bean. There were a number of mis-communications in this process. The owner thought he had done all the right things and met with all of the proper people when he started the work only to find out that the HDC and Heritage Commission didn't know anything about it. It has been cleared up but was a painful process for the homeowner and some of the volunteers on these commissions. It generated the question of whether the Town should have some sort of directive to have someone watch the walls on this side of the River. There is also some owner unknown property that someone should have been paying taxes on that this wall is going to be built on.

Selectman Clement attended a Water & Sewer Advisory Committee meeting last week. Highlights of the discussion were around the private I/I and which portion is going to be paid by the Town and which portion by the owner of the property. The committee is making a recommendation to the Board on this. The Water & Sewer Advisory Committee has prepared a summary report to the Board of Selectmen on their first several months of meetings. Chairman Lambert has asked to be placed on the Board of Selectmen meeting agenda at some point in the future to present it.

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j. Correspondence

1. Letter from Families First thanking the Town for its quarterly human service grant
2. Email to from Brian Griset to Chairman Aldrich regarding the September 12th meeting minutes and his clarification on how he believes they should read
3. 91A request from Brian Griset to Mike Jeffers asking several questions about water service meters and costs for those
4. Email from Brian Griset on September 29th to the Board of Selectmen requesting additional changes to the September 12th minutes
5. Response to a 91A request from Mr. Griset to Mr. Dean and the Board of Selectmen on October 6th about the September 12th meeting and clarification of his comments at that meeting
6. 91A request on September 28th from Mr. Griset regarding \$44,000 figure that was discussed on September 12th and where that came from
7. Water & Sewer Advisory Committee report alluded to earlier summarizing their work to date since becoming a committee earlier this year
8. Memo from Mr. Dean to the Board of Selectmen regarding some comments and clarification of issues that arose at the October 12th Water & Sewer Advisory meeting and some further clarifications on the 91A request that had been filed
9. Email that Board members received from Dan Kupferman of Parkeon in New Jersey regarding the Street Scape project
10. Email from Rocking Planning Commission regarding the 2013-2022 Ten Year Plan from the Dept of Transportation and the work that will be scheduled to be done in our area as well as a list of meeting dates
11. Email from Mr. Perkins to the Board of Selectmen regarding the reconstruction of the Main Street railroad crossing which occurred on October 6th
12. Letter from Stephanie McGann on behalf of her mother Susan Johnson expressing her concerns about the expired funding for the taxi voucher program
13. Email from Brian Fieldsend of Blue Ribbon Cleaners regarding his thoughts on how the water and sewer corrective credits should be done
14. Letter from Deborah Bordonaro of 171 Water Street regarding her thoughts on the downtown parking meter proposal. She is against the plan as proposed.
15. Emails from Michael Ward who has appeared before the Board regarding the parking meter proposal and some additional information on the research he has done on the plan
16. Email from Gerry Hamel on September 27th regarding his thoughts on a TIF district CIP project and funding for looking into TIF districts. He is against that.
17. Email from the Lord Mayor of Exeter, England, thanking the Town for its hospitality when their photography club came over to Exeter, NH and met with the Arts Committee and a photography group at the Town Hall
18. Email from October 13th from the EPA and DES regarding a flooding event workshop being sponsored here in Exeter to be held at the Exeter Town Hall on Thursday, November 10th
19. Notice to the Board of Selectmen from the Historic District Commission to discuss property at 2 Hall Place
19. Notice from the Heritage Commission to the Town of Exeter regarding a project at 27 and 33 Water Street
20. Several page memo and pictures from the Long Block Condominium Association regarding some concerns that they have with another commercial resident on Franklin Street regarding parking and property issues
21. Letter to Mr. Jeffers from David Lang Sr. with a copy to the Board of Selectmen thanking Mr. Jeffers for the time he spent working on his water and sewer issues at the Exeter Mill
22. Letter to the Board of Selectmen from Don Woodward regarding the Energy and

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Transportation Committee's work on getting grants and the trend of grants

23. Several pages of a calendar just released with the deadlines for the Official Ballot

Town Meeting

24. Letter from Comcast to the Board to talk about how they will continue to offer free high speed internet to the Exeter schools and library. Estimated value is \$ 9,600.

25. Invitation from Unitil to attend the Emergency Preparedness Meeting about natural gas in the area on November 3rd in Portsmouth

26. Letter from the Rockingham Planning Commission about the calendar that is required for zoning ordinance amendments

27. Resignation of Betsy MacDonald from the Council on Aging

28. Resignation of Don Briselden from the ZORC

29. Letter from the Rockingham Planning Commission thanking the Town for being a member and telling us that the dues for the coming year will be \$11,302

8. Review Board Calendar

The next regular Board of Selectmen meeting will be Monday, October 24th at 7:00 pm.

9. Non Public Session

Mr. Ferraro motioned to go into Non Public Session under RSA 91-A:3II(a) for the dismissal, promotion or compensation of any public employee or the disciplining of such employee or the investigation of any charges against him or her unless the employee affected has the right to a meeting and requests that the meeting be open in which case the request shall be granted . Ms. Gilman seconded.

Selectman Ferraro called the roll. Selectman Ferraro: aye, Selectman Quandt: aye, Selectman Aldrich: nay, Selectwoman Gilman: aye, Selectman Clement: nay. Board entered Non Public Session.

10. Adjournment

The Board emerged from Non Public Session and stood adjourned at 10:45 pm.

Respectfully submitted,

Jennifer Mancinelli
Recording Secretary