

FINAL MINUTES

BOARD OF SELECTMEN MEETING

MINUTES

February 14, 2011

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. Robert Aldrich, Mr. Don Clement and Town Manager Russ Dean.

2. Public Comment

Ms. Deb Johnson of Beech Hill Road said that she felt that there were innuendos and inaccurate comments in a prepared guide that had been sent out by Ms. Gilman prior to the Deliberative Session. Ms. Johnson felt that she was being depicted as an angry conservative and a member of a special interest group. She wants everyone to know that she hates both the Democratic and Republican parties equally and hasn't belonged to either party in many years. Ms. Johnson also wants everyone in town to know that her taxes are paid in full and she doesn't have town water and sewer. She served on the Budget Committee because she is truly concerned about honesty in town finances and wants the town to be able to pay its bills. She feels that the type of comments contained in the communication might discourage volunteerism in town. Ms. Gilman refused to respond to this saying only that it was not a public document and she did not sign it as a selectwoman.

Mr. Art Baillargeon expressed concern that the sidewalks at String Bridge have not been thoroughly cleared of snow and ice, forcing people to walk in the roadway. He showed photos to the Board and said he was particularly concerned about the dangerous situation it presents for the many elderly citizens and children who walk there. The Board will make sure that the Town Manager talks to Mr. Perkins about the situation.

Mr. Jim Knight felt that comments made by Mr. Clement in a previous Board of Selectmen's meeting about why he was not voting to appoint Mr. Brian Griset to the ZBA should have been cut short. He feels that the applicant should have an opportunity to hear why they were or were not chosen privately later on but that this should not be done in a public forum. Ms. Gilman agreed. Mr. Griset said that people who are volunteering their time in service to their community should not be subject to such personal attacks.

Mr. Knight has noticed that the DPW contract was not on the warrant this year. He knows that they are currently out of contract and requested to know what the particular stumbling blocks were to signing a new contract. Mr. Dean said that at the end of negotiations, there was not enough of a balanced agreement to have something to bring forward before the voters. Hopefully they will continue to negotiate throughout this year and have something to bring before the voters in 2012. Mr. Knight asked if the workers will still get their COLA increases and step pay increases when there is no contract. Mr. Dean said there are no COLA increases or pay raises when there is no contract. It is the nature of collective bargaining agreements that you have to negotiate for those things.

Mr. Quandt clarified proper parliamentary procedures for making motions and voting.

3. Minutes & Proclamations

a. Special Session Minutes of January 27, 2011

Mr. Aldrich moved to approve the Special Session Minutes of January 27, 2011 as presented. Mr. Clement seconded. Vote: Unanimous Mr. Campbell and Mr. Quandt abstained.

FINAL MINUTES

b. Regular Session Minutes of January 31, 2011

Mr. Aldrich moved to approve the Regular Session Minutes of January 31, 2011 as presented. Mr. Campbell seconded. Vote: Unanimous

c. Non Public Session Minutes of January 31, 2011

Mr. Aldrich moved to approve the Non Public Session Minutes of January 31, 2011 as presented. Mr. Campbell seconded. Vote: Unanimous

d. Special Session Minutes of February 7, 2011

Mr. Aldrich moved to approve the Special Session Minutes of February 7, 2011 as presented. Mr. Campbell seconded. Vote: Unanimous

4. **Appointments** – None
5. **Departments Reports** - None
6. **Discussion/Action Items**
 - a. **New Business**

i. Meeting Place Project Support Letters 2011 Funding Round

Ms. Gilman said that these are grants which the Town signs on for that Mr. Felder takes care of. Mr. Felder said that it is part of the process that you have to show public and political support from the town. He is trying to wrap up and complete the final applications for funding for the last 2 buildings of the Meeting Place project. He feels that their chances for approval for at least one building are good, but it is a competitive process. Mr. Felder said that they are currently over 50% rented out and hopefully should be 70 to 80% occupied within the next few weeks. Mr. Felder spends a lot of time out at the Meeting Place because he is the type of developer who really gets involved. They are currently in the process of doing a Pilot Study on what kind of social services could be implemented into their program out there.

Mr. Felder has presented 2 letters to the Town Manager because they are for two different funding pools from the same source. He would like them signed tonight if possible so he can include them in his final applications which must be in by March 4th. One is in the senior category and the other is in the family category. Senior buildings are strictly for age 55 and over, but family buildings are mixed.

Mr. Quandt asked what he'll do if he doesn't receive this funding. Mr. Felder said that he'll look for other funding sources. Mr. Aldrich commented that he feels the buildings have done a lot for the Epping Road corridor. Mr. Felder said that they have gotten a tremendous amount of positive feedback on the project.

Mr. Aldrich moved that the Board of Selectmen sign the Letters of Support for the NHFA funding for the Meeting Place project for the 26 units of senior housing and the 32 units of affordable housing. Mr. Campbell seconded. Vote: Unanimous

ii. Linden Commons Conservation Easement

Ms. Gilman said that the Conservation Commission has completed work on an easement from developer Eric Chinburg on the Linden Commons project. It is being presented tonight for approval.

Mr. Aldrich said the Conservation Commission has been going back and forth on the language of the

FINAL MINUTES

easement and have finally reached agreement on some that everyone likes. This is a project that has been hanging out there for quite awhile. It is the 25 lot subdivision off of Linden Street. As part of the mitigation for wetland impacts, the Conservation Commission through the approval of the easement tonight would be granted a 21.6 acre parcel of open space. There are 3 pieces of open space in the development. Two of the pieces of open space would be managed by the Homeowner's Association and the largest piece would be managed by the Conservation Commission. This comes with the construction of trails and crossings on the property. The Conservation Commission is happy with this and hopes that the Board approves it. The developer is also hoping for the Board's approval. One of the conditions that DES has placed on this is that they can't start doing anything until the easement is done and recorded. Both the Conservation Commission and the developer are ready to go.

Mr. Campbell asked about the common law clipping area in the easement. Mr. Aldrich said that it was on the plans for the easement which the Planning Board approved and so they managed to create wording that they could work with. It is one area located where the current garden is.

Mr. Campbell moved that the Board of Selectmen approve the conservation easement for the Linden Commons development as presented. Mr. Clement seconded. Vote: Unanimous

Mr. Aldrich added that the Conservation Commission is looking at ways to structure future easements to insure that monuments remain in place and boundaries are maintained.

iii. Discussion: LSR930 (Auto Dealer Registrations)

Ms. Gilman said that the next piece of business pertains to a piece of proposed legislation called LSR 930 which would allow local auto dealers to collect registration fees which is revenue traditionally collected by the towns.

Town Clerk Linda Hartson said that the bill is quite detailed. It started out with dealers just being able to register new cars but has been expanded to now include transfers and registration renewals. She is not going to speak for or against it but would like to point out concerns that she would have with this for the public. The Town Clerk's Association is meeting with senators on this. Senator Sanborn is a prime sponsor of the bill. He has listened to comments and feedback and is willing to consider some amendments.

Ms. Hartson said that town clerks go through some serious training and sign confidentiality agreements in order to do vehicle registrations. Supposedly dealers would be required to undergo training as well. All of their data currently is private and not accessible to others. The way in which this bill is structured vehicle registrations would be done online and the dealers would have access to the town's bank accounts. The dealers would be making payments to Exeter. Ms. Hartson has questions about how reconciliations would be done. There are questions about how the fees would work. How would all of the dealers be notified when Exeter's local transportation fee is increased? If a dealer charges more than the town and state for title fees, who gets to keep the extra? In cases of NSF checks, the town clerk can suspend the license plate giving them a good track record of collecting the money. Dealers would not have this ability, greatly increasing the likelihood that the town would never get its money back in an NSF check situation. Municipalities should really reserve control over their own revenue and finances.

Ms. Hartson said that this also brings up residency issues. Currently out of state residents cannot register a trailer or camper to a NH campground. If they could, the owners could then get NH licenses and avoid sales tax. This would very likely create loss of revenue issues with Massachusetts and Connecticut. She also pointed out that the town clerk gets the calls from the State to fix any problems

FINAL MINUTES

that are encountered on title applications, such as an incorrect vehicle weight or missing data. They recently did a survey of 368 title applications and found that a huge number of them were not completed correctly. She questioned how dealers would handle these calls.

Mr. Aldrich asked Ms. Hartson if he purchases and registers a vehicle in Manchester under this new bill if the money would come back to Exeter. He said that he has read through the paperwork and it doesn't directly answer the question of whether or not the money will go back to the town that he resides in. Ms. Hartson said it is her understanding that theoretically the money should come back to Exeter in this case. However, the dealer is going to have to have access to Exeter's bank.

Ms. Hartson said that one of the amendments being considered right now by Senator Sanborn would be to include an opt in / opt out clause. Some dealers are simply not interested in doing this. The ones that have signed on so far are mostly in the big cities.

Ms. Gilman commented that it sounds like a bookkeeping nightmare. Ms. Hartson said that right now they have a good bookkeeping balance with the Finance Department. They know what is taken in and deposited each day and they balance every day. Reconciliation under the new legislation is a big issue that even the senators cannot answer.

Don Woodward, Transportation Committee Chairman, said that he feels that the reconciliation issue is serious. A big portion of funds from vehicle registrations come back to the Town as highway block grant funds which are used to maintain the roads. If the bookkeeping is messed up, Exeter money might be paving another town's roads instead.

Mr. Aldrich moved that the Board draft a letter opposing Senate Bill LSR930 and mail it to our local senator. Mr. Clement seconded. Vote: Unanimous

Ms. Hartson wished to mention another piece of rather puzzling new legislation that she and Mr. Doug Eastman have recently become aware of. All of a sudden they have started receiving Property Landlord Designated Respondent Affidavits. They do not know who passed this or when the law was passed. All they can report to the Board at this time is that effective January 1, 2011, the owner of restricted property who resides within the state of New Hampshire shall, within 30 days of becoming the owner of the property or within 30 days of the effective date of this section, file a statement with the town or city clerk of the city or municipality in which the property is located that provides the name, address and telephone number of the person within the State who is authorized to accept service of process for any legal proceedings brought against the owner relating to that restricted property. There is a \$ 1,000 fine for not filing within the 30 days.

Ms. Hartson said that she has received 15 forms to date. Some towns are charging as much as \$ 50.00 per form for this filing. She hasn't been charging because there is no policy in place and has simply been taking in the forms. The Board will look into this matter and likely contact Attorney Mitchell to see if he has dealt with this in other communities.

iv. Authorize ATM Lease: Provident Bank

Ms. Gilman said that the Provident Bank has proposed a lease on the ATM machine space and additional access. Mr. Dean said that this lease would cover through June 30, 2011.

Mr. Campbell moved that the Board of Selectmen authorize the Town Manager to sign the lease with the Provident Bank for the ATM space at a rate of \$ 400.00 per month through June 30,2011.

FINAL MINUTES

Mr. Aldrich seconded. Vote: Unanimous

v. Memorandum of Understanding: Comcast Contract

The memorandum of understanding is a document agreement between Comcast and the Town which addresses the 3% franchise fee issue. Mr. Dean said that the Comcast representatives are amenable to an amendment that would drop the percent of the franchise fee below 3% for the remainder of the year. He does not yet have the exact number available for the Board and will have to bring that back at a subsequent meeting. It is going to be around 2.75 to 2.8 percent. This will level the rate out at 3% for the 12 month period of 2011 plus 2 months of 2010. There is also an additional change being suggested which is to narrow the definition of gross annual revenue to help make sure that the 3% is maintained. Comcast is also going to agree to push off the increase to 4% from the anniversary date of the contract to January 2012 so it coincides with the calendar year.

Mr. Campbell asked what the status is on the 6 cents processing fee that is supposed to be coming off the bills. Mr. Dean said that Comcast has explained that their internal processes only allow this type of change once per year. It is due to come off in May of this year.

Mr. Dean is waiting for the reduced franchise fee percentage number from Comcast so the Board will not be able to sign the memorandum of understanding this evening. The Finance Department of Comcast needs to calculate this number. Mr. Dean will bring it back to the Board at a subsequent date.

Mr. Clement inquired about the meaning of the wording in Item 1 that there will be a narrowing of gross annual revenue in Section 1.1 (n) on which the Franchise Fees are calculated to eliminate non-subscriber revenue. He asked what non subscriber revenue is. Mr. Dean said that this would be things like advertisements and sales from the Home Shopping Network. Ms. Gilman said that Comcast gets money from these sales. This will reduce the number on which the franchise fee is calculated.

Mr. Clement is bothered that the Board requested that a Comcast representative be here at the meeting tonight and one came. Mr. Clement voiced frustration with the amount of time it was taking to get this adjusted. Mr. Dean said that they are only waiting on the final reduced franchise fee number which is an internal calculation that must be done by Comcast. Mr. Clement would like to cap the franchise fee at 4% for the lifetime of the contract and add this change into the MOU. Mr. Quandt wants to bring this idea before the Cable Committee before he comments on it. The Cable Committee has a ton of knowledge and he values their input. Ms. Gilman asked if Comcast has seen the draft of this MOU and Mr. Dean replied in the affirmative. Mr. Dean will call Comcast again tomorrow.

Ms. Renee O'Barton asked if Comcast ever provided an explanation as to why the bills had a franchise fee of 3.66% instead of 3%. Mr. Dean said that it was part of the gross annual revenue calculation and due to the fact that the effective date of the contract was 10/25/2010. Comcast was going back to the effective date of the contract and collecting franchise fees on the last 2 months of 2010 in order to catch up. This is why the new MOU proposes to lower it in order to even it out.

Ms. Renee O'Barton said that it is her understanding that Riverwoods has a separate franchise fee agreement contract with Comcast and wanted to know if there are any other large entities in town that have exclusionary contracts. The Board did not know if any such other separate contracts exist.

b. Old Business

i. Sportsmen's Club Lease

Ms. Gilman said that they are coming up on the 2 year anniversary of the Sportsmen's Club lease.

FINAL MINUTES

There was some miscommunication about site walks. The goal is to clean up any outstanding matters.

Mr. Clement read through section 8 of the lease regarding renovations, alterations and improvements. It requires that the Town be notified in writing prior to any work being started. He said that the club has erected a berm and is in the process of constructing noise management structures, but no site plan review has been done by the Town Planning Board. He feels that a site plan review should be done out at the club by the Town Planning Board prior to the 2 year anniversary of the lease coming up in April.

Mr. Bert Bourgeois, President of the Exeter Sportsman's Club, said that the features that Mr. Clement referred to pertain to noise attenuation and these are covered in Section 16 of the lease and not Section 8. The construction of the 3 noise management structures and the extension of the berm are requirements of the lease outlined in Section 16 to be done at the Town's request. He said that they committed to doing these at the time of the lease signing. Section 16 does not require a site plan review. They sought and obtained the proper building permits from the Town and felt that they had done everything that the lease required them to do. They did not request a site plan review because they did not think that they needed one. Several members of the Board and the Town Manager did a site walk out at the Club last August 2010 and no one mentioned anything about a site plan review being required.

Mr. Bourgeois pointed out that if you read Section 8 carefully the language states that these are procedures to follow if the tenant is desirous of making any changes, alterations or improvements. The noise attenuation measures outlined in Section 16 were not things that the Club wanted or decided to do, but rather they were lease conditions done at the request of the Town. It is the Club's understanding that Section 8 applies if they decide that they would like to make any additional future changes beyond what is outlined as required in the lease. Mr. Bourgeois emphasized however that the Club is very desirous of having a good relationship with the Town and is sympathetic to any concerns that townspeople may have. They believe that they did the right thing and had no idea there was a problem until they read it in the newspaper last week. As far as the Club is concerned, they followed the proper procedures. After discussion with the Town Planner Ms. Von Aulock and Building Inspector Mr. Eastman it is his understanding that no site plan review is needed. He welcomed communications from anyone wishing to discuss this further and also said he would be happy to do site walks for anyone interested.

Mr. Aldrich said that he interprets the lease the same way as Mr. Bourgeois. He asked if the Club has done anything beyond the required changes outlined in Section 16. Mr. Bourgeois said the answer was no. Mr. Quandt said that when the subject had come up in earlier discussions it was in the context of talk about building a new clubhouse or other future changes. He also believes that Section 8 pertains to future changes to the site. Mr. Campbell felt that the noise attenuation alterations should still have gone through the Planning Board. He was Chairman of the Board when this lease went through two years ago and so he was well-informed about the negotiations.

Mr. Bourgeois said that right now the Club has no plans for any future changes. He feels that communication is key. Everyone feels better when they are informed and know what is going on. He looks forward to having more informal discussion and communication with the Town. If anyone has any concerns, please let him know and they'll see what they can do to address them.

Ms. Gilman asked if they will be able to come in with a master plan in time for the lease anniversary. Mr. Bourgeois said that he was confused by this request for a master plan. Their plan is to keep on doing the same thing that they have been doing since 1955. At some point in the future they may wish to make some changes. At such time they would follow the procedures outlined in Section 8 of the lease and would also like to have informal discussion with the Town about any ideas they have before starting

FINAL MINUTES

the process.

Mr. Campbell said that the lease contains a sentence that says that noise attenuation effort is to be discussed at periodic meetings. He questioned who judges the level of noise attenuation achieved. He would like to see some sort of presentation on what has been done. Mr. Bourgeois said that the language states that they should sit down and talk about the noise attenuation every 5 years. There is no standard of measurement of noise attenuation detailed in the lease. However, he would be more than happy to meet to discuss this at their request. This is a framework for a relationship and they are ready, willing and able to meet to discuss any issues. Mr. Clement asked to clarify who the prime contact person is for the Club. Mr. Bourgeois said that he is the prime contact for the Club as he is the president. His contact information is on their website and his phone number is in the book.

Mr. Frank Ferraro said that this sounds like a case of buyer's remorse. The lease was negotiated and signed. The Sportsmen's Club has lived up to the terms of the lease. Now the Town wants something different. The lease doesn't specify the level of noise attenuation required. Thus if they have attenuated the noise by only one decibel they have lived up to the terms of the lease. Ms. Gilman said that part of the confusion is due to the fact that the Board makeup that signed the lease is different than the current Board and there is a difference of interpretation of the lease terms.

Sue Fitzgerald of Robin Lane asked if there had been opportunity for the public to comment at the time the lease was signed. The Board said that there had been such opportunity and that there was a lot of comment at that time. Ms. Fitzgerald asked how long the lease is for and the Board's answer was 40 years. She commented that she lives nearby and it is just a horrible thing to listen to all the time. She asked if anything can be done.

Ms. Beth Brosnan of Robin Lane said that Mr. Bourgeois has made a good effort to contact the folks who have expressed concerns recently. While she appreciates the good faith efforts that the Club has made, the noise does not seem to be diminished. She asked if any additional measures can be taken and also asked to know what type of preparation study was done prior to undertaking the recent noise attenuation work.

Ms. Sylvia von Aulock, Town Planner, said that the lease was signed in April of 2009. She was not aware of it until this past Fall when she was asked to do a site plan review along with Mr. Eastman by the Town Manager. She was confused as to what she was supposed to be reviewing. She spoke to Mr. Bourgeois last week and believes that there will be a good faith effort on his part. She had a packet of information that previous Club President Joe Kenick had submitted to the Board in April of 2010. This document did indicate his intent to do some sound measurement and to make a master plan. She was not shocked that things have changed in a year and sees plans change often with regard to projects.

Ms. Von Aulock commented that they did note on their site visit that the buildings have corrugated metal roofing which can actually increase noise. Mr. Bourgeois said that he will look into the metal roofing. He reiterated that he feels that the Sportsmen's Club has done what is required under the lease. The Club is sympathetic to the concerns of townspeople, but pointed out that as a matter of state law they are grandfathered and have a right to be there. They were there first. The shooting is not from dawn to dusk, as has been commented. Shooting is from 8:30 am to 7:30 pm except for Sundays when shooting doesn't start until noon. He encouraged ongoing dialogue.

Tim Worle of Towle Avenue, who was present during most of the lease negotiations, said that his recollection is similar to that of Mr. Campbell. He feels that all changes should go through the Planning

FINAL MINUTES

Board. Whether or not the Club is grandfathered, they are still a tenant and he would appreciate that they continue to work with the Town in trying to mitigate the noise.

Mr. Aldrich suggested that perhaps they could schedule a work session in April to review the annual report this year instead of the Sportsmen's Club just dropping it off. Mr. Campbell agreed with Mr. Bourgeois that the Club has a right to be there and was there first. He is sympathetic to those who purchased homes nearby without being advised of the Club's existence by their realtors. Mr. Bourgeois said that he would write letters to all the realtors in the area about this because it is not fair.

ii. Public Notices

Mr. Campbell said that Ms. Geis did a terrific study comparing rates to advertise in the Foster's versus the Exeter Newsletter. The comparison showed that there is an annual savings of around \$ 4,500 when the Foster's is used. Although he thinks that many people do not read the Foster's and he would prefer to see them in the Exeter Newsletter, a \$ 4,500 savings is significant. He thinks that all notices should be in the same paper so a decision should be made.

Mr. Aldrich questioned how many people read the notices in the paper anyway. Many people look online and these notices are posted online as well. Ms. Gilman agreed with Mr. Campbell that the Town should be consistent.

Mr. Campbell moved that the Board adopt a policy that all notices go in the Foster's. Mr. Aldrich seconded. Vote: Unanimous

Mr. Campbell asked Mr. Dean to circulate notice accordingly to all department heads and boards. Mr. Dean added that notices can be viewed online in the Foster's without a subscription. The Exeter Newsletter requires a subscription to view notices.

7. Regular Business

a. Bid Openings – None.

b. A/P and Payroll Manifests

a. Accounts Payable and Payroll Manifests

Mr. Clement moved to approve a payroll warrant for week ending 02/06/2011 for checks dated 2/09/2011 for \$ 167,582.66. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved to approve an accounts payable warrant for checks dated 02/11/2011 in the amount of \$ 215,933.76. Mr. Aldrich seconded. Big Ticket Item: \$14,000 for salt, \$ 104,000 to the NH Retirement System and \$ 39,000 to Unifit (\$9,000 of this is for street lighting) Vote: Unanimous

c. Budget Updates – None.

d. Tax Abatements & Exemptions

Mr. Clement moved that the Board deny a Veteran's Credit for Map 21, Lot 36-3. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved that the Board approve a Veteran's Credit for Map 33, Lot 3. Mr. Aldrich

FINAL MINUTES

seconded. Vote: Unanimous

Mr. Clement moved that the Board approve an abatement for Map 61, Lot 20 in the amount of \$ 127.97 plus interest. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved that the Board approve an Intent to Cut Wood or Timber for Map 95, Lot # 78 & 79. It has been reviewed and signed by the Town Planner on 1/20/11. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved that the Board approve a current use change to Map 6, Lot 1 to add .828 acre by merging with Map 7, Lot 1. Mr. Aldrich seconded. Vote: Unanimous

e. Water/Sewer Abatements - None

f. Permits

Ms. Gilman said that there is a request from GFWC – NH to use the Town Hall Main Floor for a book sale on March 18 and 19, 2011. There is a request from Womenade of Greater Squamscott to use the Bandstand and parking area next to the Bandstand for a white elephant sale on May 7, 2011.

Mr. Aldrich moved to approve the permits as presented with the applicable fee waivers. Mr. Campbell seconded. Vote: Unanimous

g. Town Manager's report

Mr. Dean requested a few minutes of the Board's time for a brief nonpublic session after this meeting to discuss a compensation issue. Ms. Ravell is here in attendance for that.

They have been receiving many more Right to Know requests than usual and so they have created a form for these requests. The form is available online. They have also begun tracking these requests in a log. The sample ballot for the March election has just come through today. It will be posted online. They also have fact sheets of information about the budget, warrant articles and tax impacts that were available at Deliberative Session. These are accessible online as well. Mr. Dean encourages people to use them. He wished to point out that this year the default budget would have a bigger tax impact.

h. Legislative Update

Ms. Gilman said that earlier tonight the Board met with Selectmen from Stratham, the town administrator from North Hampton, and state representatives and senator from this district to discuss legislative matters. Retirement system changes, revolving fund legislation and collective bargaining & unions were some of the topics discussed. They had a good discussion and plan to do it again next month. Mr. Quandt said that he will work to clarify the details of the new restrictive property legislation mentioned by the Town Clerk earlier on in tonight's meeting.

i. Selectmen's Committee Reports

Mr. Quandt said that there is a Cable Committee this Thursday at 5:30 pm. He will be 15 minutes late. Mr. Clement will be his designated alternate and be there at 5:30 so that they can have a quorum and get the meeting started.

Mr. Campbell said that the Planning Board meeting scheduled for last week was cancelled so he has

FINAL MINUTES

nothing to report.

Ms. Gilman said that the Historic District Commission had a special meeting to continue review of an application made by 89 Front Street (Tuck House). The application calls for demolition of parts of the building. The Heritage Commission was asked for their opinion. The demolition review subcommittee will hold a public meeting on Wednesday at 6:00 pm in the Nowak room to give their report. The Historic District Commission will meet on Thursday after the Heritage Commission.

Mr. Aldrich announced that the Conservation Commission is holding a special meeting on Saturday morning in a room at Riverwoods to discuss goals and visioning for 2011. It will be moderated by the New Hampshire Association of Conservation Commissions. The Arts Commission meets next Thursday.

Mr. Clement said at the last Heritage Commission meeting they reviewed a request to remove a chimney at 27 Front Street. The Council on Aging meets on Thursday at 2:00 pm. The Rockingham Planning Commission met last Wednesday.

j. Correspondence

1. Right to Know request to Ms. Ravell from Ms. Gilman requesting information on overdue tax and water/sewer accounts
2. Email request for Cable Committee replays from Mr. Jim Knight to Mr. Swanson and Mr. Swanson's response
3. Email communication from Mr. Alan Bailey to Ms. Gilman regarding Comcast 3.66% franchise fee issue and responses from Ms. Gilman and Mr. Dean
4. Email communication from Mr. Alan Bailey asking why there wasn't a live broadcast of the deliberative session
5. Email communication from Mr. Alan Bailey regarding Mr. Griset's ZBA application
6. Letter from Mr. Duffie regarding the Jady Hill Area sewer project asking general questions
7. Letter from our United States Senator Kelly Ayotte advising the times and places where her offices will be kept
8. Letter from Seacoast Family Promise thanking the Town for the \$ 250.00 donation
9. Letter from the American Red Cross thanking the Town for the \$ 200.00 donation
10. Letter from the Department of Public Works Water and Sewer Billing Department to owners/tenants. Mr. Dean said that this is a letter that is going out to property owners and tenants. Historically the town has billed tenants even though the town ordinance is very clear that the burden of responsibility is on the property owner. There have been multiple issues with tenants not paying bills and the landlords not being aware. The landlords are then surprised when they are responsible for water & sewer charges incurred by non-paying tenants. The solution is to stop billing tenants and bill only the property owners.

8. Review Board Calendar

Ms. Gilman said that there will be no Board of Selectmen meeting next Monday evening because of the Presidents Day Holiday. The Board will meet briefly on Tuesday, February 22nd at 8:30 am for critical business. The next regular Board of Selectmen meeting will be Monday, February 28th at 7:00 pm.

9. Non Public Session

Mr. Aldrich motioned to go into Non Public Session to consider employee compensation. Mr. Campbell seconded.

FINAL MINUTES

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

10. Adjournment

The Board emerged from non public session and adjourned at 10:00 pm.

Respectfully submitted,

Jennifer Mancinelli
Recording Secretary