

Select Board Meeting
Monday December 17th 2018
Town Offices, Nowak Room
Final Minutes

1. Call Meeting to Order

Members present: Anne Surman, Kathy Corson (acting chair at this meeting), Molly Cowan, Don Clement, and Russ Dean were present at this meeting. Julie Gilman was not present. The meeting was called to order by Ms. Corson at 6:30 PM.

2. Non Public Session - RSA 91(A) 3 2 a

MOTION: Ms. Surman moved to go into non public session under RSA 91(A)3 2 a. Mr. Clement seconded. By a roll call vote, all were in favor. The meeting was reconvened by Ms. Corson at 7:02 PM.

3. Bid Award: Water/Sewer Chemicals

MOTION: Ms. Cowan moved to accept the DPW's recommendation for award of chemical bids of 2019 per the memo dated December 2nd. Ms. Surman seconded. All were in favor.

4. Public Comment took place after the fee schedule discussion below.

MOTION: Mr. Clement moved to take the water/sewer abatements out of order. Ms. Surman seconded. All were in favor.

Peter Helfer of 2 Grandview Terrace came before the Board regarding his abatement request. Mr. Helfer said he was away on two different trips during the periods of high consumption. The issues began in the middle of the night, not when anyone would have come into the house. The meter was sent out for testing; at high flow it shows the correct readings, but fails the low flow test. He suggested that maybe the high readings were a malfunction as well. He also questioned if the times the meter recorded are correct; what time the meter was sending was never tested. Mr. Helfer said the water couldn't have started and stopped by itself, so the meter must not have been working properly. There was a woman watering the plants but she never would have come in at those times. Meanwhile, the interest on his bill has been going up, so he doesn't want to prolong the case any further, and wanted to pursue the abatement.

Ms. Corson asked what Mr. Helfer is looking for. He replied that he is willing to accept the \$700 abatement discussed at the meeting in July. Ms. Corson asked if they voted on this before, but Mr. Dean said no, it was postponed last time.

MOTION: Ms. Cowan moved to abate \$769.50 for a new total of \$870.69. Mr. Clement seconded for discussion. He said it's not the town that created the issue, the ratepayer has to pay. Ms. Cowan said that her reason for supporting the motion is that they can do a one-in-ten-year abatement. Ms. Surman agreed with Mr. Clement; unless it can be proven that the town caused the leak, they can't offer the abatement. Ms. Cowan and Ms. Corson voted yay, Mr. Clement and Ms. Surman voted nay, and the abatement failed. Mr. Helfer will follow up with Mr. Dean.

5. Proclamations/Recognitions

- a. There were no proclamations/recognitions.

6. Approval of Minutes

- a. Regular Meeting: December 3rd, 2018

- i. Mr. Clement said that in the motion on page 2, the minutes say that Ms. Corson both moved and seconded, and he thought that Ms. Cowan actually seconded the motion.

MOTION: Ms. Surman moved to approve the minutes for the regular meeting of December 3rd as amended. Ms. Cowan seconded. All were in favor.

7. Appointments

- a. There were no appointments.

8. Discussion/Action Items

- a. Public Hearing: Property Use Fees

MOTION: Mr. Clement moved to open the public hearing on the fee schedule for facilities. Ms. Surman seconded. All were in favor.

Ms. Surman said she thought the Board had agreed that Exeter nonprofit and non-Exeter nonprofit fees should be the same. Ms. Cowan thought that that contradicted Article 28, but Ms. Surman said that article was advisory only. Many Exeter residents are involved in nonprofit organizations that are not based in Exeter. Ms. Corson suggested that they could reduce the difference to \$50 as a compromise. Ms. Cowan asked if for-profit Exeter vs for-profit non-Exeter should be the same, but Ms. Surman said no, just nonprofits. Mr. Clement agreed, saying that nonprofits are something special and they should be treating them all equally.

Scott Ruffner of TEAM, a resident of 11 Hall Place, said that Article 28 may only be advisory but it should come into consideration. If an organization is based in Exeter, and is trying to build up Exeter, it should be favored. Mr. Clement read the text of the warrant article, and said that town counsel had subsequently ruled that the Select Board gets to set the fees. Mr. Dean said that this public hearing on fee setting is being held per RSA 41.9.a. Ms. Cowan said that she supported a higher price for non-Exeter nonprofits. The Town Hall is a valuable resource that the town needs to promote and preserve, but they should also be promoting nonprofits in the town by giving them a slight advantage in fees.

Robin Tyner, an Exeter resident, said that not all nonprofits are equal: some are big businesses, while others support the local community. Ms. Corson said they would have a hard time making that distinction.

Ms. Corson argued that they should go forward with this fee structure and come back in six or eight months to see how it's working and how use of the facility has been affected. Mr. Dean mentioned that the Board has had at least six meetings discussing this at length, and the fee amounts were set after a lot of thought and discussion.

Bill Childs of 5 Smith Ave expressed concern about the potential fees for an awards show for the Seacoast Artist Group, which is an Exeter-based organization. Proceeds from the show are used to build a scholarship fund; last year, several thousand dollars were given to area scholarships. Ms. Corson said that a nonprofit booking Town Hall facilities for a single

event which lasts more than 3 consecutive days would pay a \$200 maximum fee for the duration. Mr. Childs countered that they only made \$600 on that show, and in the future after the fees they may have nothing in the scholarship fund. Ms. Corson said she still wants to do something and reassess in six months.

Ms. Surman asked if the Board would be allowed to waive fees. Mr. Dean said no, they hadn't been planning to waive any fees. Ms. Surman was concerned that once they alienate people, they won't come back.

Mr. Clement asked about the Senior Center, which is used daily by Meals on Wheels. He was very concerned that with the new fees, they would be charged \$40 per day. Ms. Corson suggested they could apply the \$200 flat fee for a year. Mr. Dean said that Meals on Wheels has been an inhabitant of the Senior Center since 1985, and the town needs to open discussions with them regarding a formal agreement. Mr. Clement said they should continue not charging them. Mr. Dean responded that there are costs of running the buildings and administering the permits. The Town Manager's office serves as a concierge service for groups using the space. Ms. Corson said charging Meals on Wheels \$200 for a year doesn't seem like that much. Mr. Clement said that they're not allowing groups to use facilities for a year, but Ms. Corson replied that there's nothing in this proposal that prevents that. Mr. Clement argued that Meals on Wheels provides a valuable service and should not be charged anything. Ms. Corson said you could say that about any nonprofit.

Karen Desrosiers asked how fees would be set for the back room on second floor of Town Hall – would classes like the Seacoast Photographers be paying \$25 per day? She was concerned that Exeter is becoming inhospitable. Ms. Corson asked her if the members can't each pay a dollar for the class. There's an administrative and upkeep cost for events. Mr. Dean said the fee for the back room is \$35, but this was a fee that had been waived in the past. The fees are \$20 for the Rec building, \$20 for the Senior Center, \$30 for the Wheelwright Room, \$40 for the Nowak Room when available, \$25 for the Town Hall Gallery Back Room, \$75 for the Town Hall second floor.

Florence Ruffner of 5 Pine Street said that they should set the fees, pass it, and be done. This is all real estate that the town has to maintain. She did feel that out of town organizations should pay more than Exeter organizations.

Paul Royal of 3 Pumpkin Circle asked about the money that Exeter gives to charity. Ms. Corson said that the town is giving \$106,625 to charity this year. Mr. Royal suggested that they adopt a consistent fee structure but that the town's charity be used to cover the fees for Meals on Wheels.

Scott Ruffner asked for a rundown of spaces and fees, and Ms. Corson listed them. The Town Hall auditorium is \$75/day, or \$200 for three or more consecutive days, for an Exeter-based nonprofit; \$125 for non-Exeter nonprofits; \$250 for Exeter for-profits; and \$500 for non-Exeter for-profits. The Town Hall side room on the first floor is \$20, \$40, \$60, \$60. Mr. Clement and Ms. Cowan were concerned that these fees are not consistent. Ms. Corson said they should move on and revisit it later. The Art Gallery second floor is \$75, \$125, \$250, \$500. The Town Hall gallery back room, \$25, \$75, \$100, \$125. The Nowak Room is for Exeter nonprofits only at \$40. The Wheelwright Room is \$30. The Rec building is \$20, \$40, \$60, \$60. The Senior Center is \$20, \$40, \$60, \$60. There's also a custodial fee of \$30 per hour when required. The Town Hall main floor has a rehearsal option; there's a standard fee of \$75, \$125, \$250, or \$500 for the

day of the event plus \$10/day for rehearsals related to the permitted event. The Nowak Room and Wheelwright Room are not to be used during regular business hours. The Town Hall side room fee applies when the room is used separately by an organization, not added to the Town Hall or Auditorium fee for a single user. Political events requiring a large police presence will be billed \$1500 per event. The proposed fees would be applied to 2019 calendar year events.

Karen Desrosiers asked if an event already approved for 2019 would be charged the new fees. Mr. Dean said yes, once a fee schedule is adopted they'll move forward with notifying groups.

Ms. Cowan did not want to move forward without the chair present, and Mr. Dean suggested they continue the public hearing.

MOTION: Ms. Cowan moved to continue the public hearing to the next Select Board meeting. Mr. Clement seconded. Ms. Surman observed that the next meeting isn't until January 7th. All were in favor.

4. Public Comment (moved from above)

Florence Ruffner of 5 Pine Street commented that she had participated in Wreaths Across America and saw that the Winter Street Cemetery has many dead and downed trees. Mr. Dean said that there was a warrant article that appropriated \$27,000 for tree removal in Winter Street Cemetery, and they hired Knowles Tree Service to do that work. However, the presence of a rare bird had resulted in a stoppage of work. Mr. Sharples said that originally the work had been scheduled to resume in October, but they need to bring in a crane and wet weather prohibited that. They're now waiting for the ground to freeze. They're aiming for January 1st, and the tree work should be complete well before the spring.

Paul Royal of 3 Pumpkin Circle raised the issue of how the tax impacts will be shown on the ballot, and asked if they should start a citizens' petition to allow them to show the rate per thousand instead of the impact on a median household. He asked about the deadline for citizens' petitions, and Mr. Dean said it's January 8. They could modify a citizens' petition with a new petition but they aren't able to be withdrawn. It did happen once before, but it raises issues. Mr. Clement said that by the state RSA, they have to show the tax impact, for example 12 cents per thousand dollars. Mr. Royal said that the warrant article stated median household. Ms. Corson pointed out the numbers are all going to change with the new valuation. Mr. Clement mentioned that the board had also talked about showing the tax rate for \$100,000 so residents could figure their impact from there.

Mr. Royal also mentioned the winter parking ban. Residents had voted to get rid of the ban 3 to 2, but the Select Board decided to keep the ban in place. The average number of tickets given out is 432 per season. This year to date, 66 tickets have been given with a revenue of \$2,000. In another, similar town, the Chief of Police came to their Board of Selectmen and said he didn't want to hand out tickets when there's no snow. They decided to set up an ad hoc ban instead. There's a light downtown that goes on in a snow emergency, and they also use Nixle, which allows people to sign up for snow emergency notifications. This service works not just for snow but for any notifications from the town.

b. FY19 Bonds Budget and Warrant Articles

Mr. Dean said that the General Fund budget has changed from the BRC number of \$19,268,547 to a new number of \$19,233,857, due mostly to plan changes and benefits. He presented the Board with a list of warrant articles, cautioning that warrant article for non-union wage increases will change. This won't be in the default budget, but will be in the operating request. Mr. Clement wanted to see the draft article language prior to the public hearing, rather than just a list, and Mr. Dean showed them a rough draft.

Ms. Surman raised the issue of the public safety study, which was in Fire Department operating budget but she felt should be a warrant article instead, since it had been denied by the voters last year.

MOTION: Ms. Surman moved to reduce \$50,000 from the Fire Suppression budget and to move the \$50,000 study to a warrant article. Mr. Clement seconded. All were in favor.

Mr. Clement said that in 2011, the operating budget was \$15 million, and today it's over \$19 million. They did a lot of necessary infrastructure during that period, but some taxpayers are seeing a burden with an increased tax bill. He would like to see the budget at \$19 million instead of \$19,233,857. He raised the proposed part time HR assistant position, and suggested cutting this from the budget. Ms. Corson said she didn't want to move on this when Ms. Gilman was not present. Ms. Cowan said she would like to hear from the BRC and Mr. Dean why this is needed.

Niko Papakonstantis, the chair of the Budget Recommendations Committee, said that there are five part time positions plus a part time to full time in the 2019 budget. He wanted to clarify that it's not five new full-time personnel with benefits, it's the equivalent of 2.5 full time positions, with no benefits. After speaking with the HR manager, Mr. Dean, Mr. Bisson, and Chief Comeau, the BRC found that the employees in these departments are taxed and this help is gravely needed.

Mr. Dean asked to hear more of Mr. Clement's items of concern in the budget so they could put the personnel in context. Mr. Clement responded that in the Economic Development budget, there's a line item for one intern at \$3,000, but he doubted that an intern would produce anything of value. There's an engineering consulting budget of \$3,000, but they have three engineers on staff and this work should be done internally. He would not add a part time position for the Town Clerk, and no part time Fire clerk. He's not in favor of contracted cleaning; it would cost \$26,000 just for the Town Offices, and it would create a slippery slope for cleaning other buildings in the future. Finally, the Parks Department wanted two seasonal park employees, but he said that's a difficult hire.

Ms. Surman was concerned about the \$100,000 Capital Reserve Fund for the Parks Department, which would allow them to set their own priorities; she'd rather know where the money is going. Mr. Dean said that the Select board would approve expenditures. A Capital Reserve Fund would also allow any savings from being underbudget on a project to be put back into the parks. Otherwise they'd have to put small Parks projects into warrant articles and operate on an unwieldy year at a time schedule.

Mr. Dean suggested that they delay further discussion until January 7th when more department managers and the full Board could be present. Ms. Corson agreed. Ms. Cowan said that she felt the BRC was a really complete and thorough process. If those dealing directly with the situations say they need an extra person, she believes them. Ms. Surman said that she

agrees with what Mr. Clement came up with; not that she doesn't believe that they need these people, but it's a question of a must-have versus a nice-to-have.

Mr. Clement said that the Waste Management contract went up by \$137,000 this year, to \$940,000 in 2019. Mr. Dean said the escalator is a minimum of 3%, not including the provision for recycling. He will be making a presentation on this subject at the January 7th meeting.

Mr. Clement said that there was \$100,000 in the budget for maintenance projects last year, but YTD in October, there was only \$13,000 spent. Ms. Corson said they didn't have someone in that position, but now that there is a Facilities Committee, they may see more activity there.

Paul Royal said that an assistant's job is to make the boss's time more valuable. When the highest-paid, most skilled people in town ask for assistance, they're maximizing their value. Hiring an assistant to make their time more valuable is a deal.

Mr. Dean gave them a draft of warrant articles which included the language about the tax impact. Ms. Corson asked if they averaged the years when discussing the library bond. Mr. Dean said yes, and that they had difficulty trying to portray the required language in a way that's understandable. Mr. Clement said that it's a \$313,500 median assessed value; bonds are complicated but for other warrant articles it seems straightforward.

Ms. Corson said that in Article 10, they are asked to approve the cost items included in the collective bargaining agreement, but for that to show doesn't seem right. They shouldn't be basing their vote on that number. Mr. Clement said that's the case for all of the articles. Ms. Corson said she doesn't want to add any more language than now, but likes the \$100,000, since not all homes are worth \$313,500. Mr. Dean said that one issue impacting these calculations is that it's a revaluation year. Whatever is put on the warrant is going to be outdated that month. These are 2018 values used to make this calculation, and they will not be the same. Just had a one-time windfall of \$300,000 for land use change tax from the Epping Road TIF, which could be used toward the budget or warrant articles.

Mr. Royal asked why they would include both \$100,000 and the median figure. Mr. Dean said they have to show the tax impact as described in the warrant article. One question they asked town counsel was whether they can show more than just one set of figures and add to the initial calculation that the article laid out. The relevant RSA says estimated tax rate with a form to be determined by the Select Board. Mr. Royal said this warrant article went one step beyond what the RSA specifies; it was left intentionally open-ended by the state, because they trust the Select Boards. The warrant article stated it was intended to bring transparency and ease of understanding, but it makes it more complicated, especially for people of homes of lower values.

Mr. Clement asked about RSA 3195C in relation to establishing a fund for the Swasey Parkway fees. Who would be authorized to expend monies out of that fund? Mr. Dean said it would be determined by the legislative body, either the Select Board or someone else. It depends on how the article is written. They normally recommend centralizing the process with the Board, because there are auditable documents there. Mr. Clement was concerned that the Swasey Parkway trustees would have no decision-making powers. Mr. Dean said that the legislative body would approve the expenditures via the budget. Ms. Corson asked him to bring details about this proposal to the next meeting.

c. FY18 Encumbrance Listing

Mr. Dean said that they've signed contracts for \$50,000 with Underwood Engineers, one General at \$20,000 and one Sewer at \$30,000.

MOTION: Mr. Clement moved to encumber the amount of \$20,000 for NHDES asset management, the CWSRF asset management. Ms. Cowan seconded. All were in favor.

MOTION: Mr. Clement moved to encumber the amount of \$30,000 for NHDES CWSRF asset management Sewer. Ms. Cowan seconded. All were in favor.

d. FY17 Audit Management Letter

Mr. Dean discussed the management letter for the 12/31/17 town audit. It was another clean audit thanks to the departments and the finance department. They did receive some recommendations on things they need to work on in the management letter. They are working diligently to improve financial reporting and operations, but it's difficult to keep up and there are new regulations each year. Their December 5th meeting with the auditors was positive.

There is a deficit fund issue related to old capital projects, and the auditor asked the town to put together a plan to fund these projects. One is a Belmont/Front Street Sewer Fund project, and one is a water treatment design Water Fund project. Funds for these projects have been held in the Unassigned Fund balance. These funds are owed to the General Fund, and will increase the Unassigned Fund balance by \$88,004. If they take action prior to December 31st, this issue will be eliminated from the 12/31/18 audit. There's an old Great Bridge project; he recommends that the deficit for that project be funded through a warrant article, and they're already holding the funds in reserve. For a Stewart Park seawall project, they have \$156,000 in unissued borrowing authority, but the actual amount has not been confirmed. An Industrial Drive culvert is \$2,109 from the DPW General Fund Budget. He recommended that they act now and strengthen this year's financials.

Mr. Clement asked if transferring money from the Sewer and Water Fund reserves would reduce them even further. Ms. Chester explained that those funds owe the General Fund. The funds are growing because of rate adjustments. Mr. Dean said that the Sewer Fund balance is \$2.1 million, and the Water Fund is over \$1 million. This will add \$88,004 to the General Fund balance. These numbers were carved out of the Unassigned Fund balance; the total of \$369,000 is not part of the Unassigned Fund balance, but has been set aside.

MOTION: Mr. Clement moved that the Board transfer the amount of \$24,438 from the Sewer Reserves to the General Fund to eliminate the deficit for the Belmont Street Sewer Fund project. Ms. Surman seconded. All were in favor.

MOTION: Mr. Clement moved to transfer \$63,566 from the Water Reserves to the General Fund for the water treatment design Water Fund project. Ms. Surman seconded. All were in favor.

Mr. Dean clarified that this last motion was for the old surface water plant project, not the new groundwater plant. Mr. Dean will draft a warrant article for the Great Bridge project deficit and bring it back to the Board. For the Stewart Park project, he needs to confirm the number.

MOTION: Mr. Clement moved that they reclassify the Industrial Drive Culvert expense of \$2,109 to the Public Works General Fund. Ms. Cowan seconded. All were in favor.

e. Grants Management Policy

Mr. Dean said the per the management letter, they're looking to adopt a policy that puts the town in conformance with new uniform procurement standards for federal grants. They are working on a tight timeline; Ms. Chester added that she did commit to it in the management letter response, and there will be a finding if they don't commit. Ms. Cowan asked if the Board adopts the grants management policy, which includes a code of ethics, but then they adopt a different code of ethics, will their new policy override what they committed to? Mr. Dean said this should fit with any new code of ethics they may adopt. Also, this is going to represent the code of ethics only with regard to federal grants. Ms. Cowan said this is so specific, she would feel comfortable voting without Ms. Gilman present.

MOTION: Ms. Cowan moved that they adopt the town of Exeter grants management policy as it pertains to the uniform procurement standards for federal grants. Ms. Surman seconded, and all were in favor.

9. Regular Business

a. Tax, Water/Sewer Abatements and Exemptions

MOTION: Ms. Cowan moved to approve an abatement in the amount of \$720.50 for 64/105/77. Ms. Surman seconded. All were in favor.

MOTION: Ms. Cowan moved to approve an abatement in the amount of \$261.25 for 64/105/101. Ms. Surman seconded. All were in favor.

MOTION: Ms. Cowan moved to approve an abatement in the amount of \$103.04 for 104/79/214. Ms. Surman seconded. All were in favor.

MOTION: Ms. Cowan moved to approve a veterans' credit in the amount of \$500 for the following properties:

- 90/18/22
- 74/6 6
- 69/3/26
- 68/6/711
- 71/112

MOTION: Ms. Cowan moved to approve a disabled veterans' credit in the amount of \$2,000 for 71/112.

b. Permits & Approval

Ms. Cowan asked to wait for Ms. Gilman, and the permits were tabled until the next meeting.

c. Town Manager's Report

Mr. Dean said that the Epping Road TIF work is continuing; the sewer and water are close to the Mobil on the Run, but not yet down the TIF Road. They're hoping to wrap up work there for the winter by Friday.

Town employees are taking time off next Monday so the Town Offices can be closed on Christmas Eve. Trash will be delayed by one day for Christmas, and by one day for New Year's.

d. Select Board Committee Reports

Mr. Clement said that the Conservation Commission met last week, and they voted not to recommend a conditional use permit for a Shoreland and Wetland Buffer on Epping Road. They did approve a CUP for Continental Drive for a new Unutil operations office, which is currently in Kensington.

Ms. Cowan said that the Housing Advisory Committee was looking at multifamily housing in Exeter. They have a February 16 training on how to talk about workforce housing, given by New Futures from Concord. There was also a Rec Advisory Committee meeting, which had some excitement.

Ms. Surman said she met with the E911 Committee. At the January meeting they will make some recommendations. She's pleased that the public is able to participate in naming streets. Ms. Surman thanked the town for the holiday reception on Thursday.

Ms. Corson said they had a Planning Board meeting a couple weeks ago and they approved 23 units of condos at the old Alrose Shoe factory, which will mixed-use with some industrial. They're reopening the public hearing for Rose Farm at the January meeting. At the Thursday Planning Board meeting there is a long agenda. The Healthy Lawns Clean Water Committee worked with the Academy on fertilizer, and came up with something everyone agreed on. They are looking at some zoning changes for turning a professional technology park into a CT corporate technology park. There will be a discussion on taking an assisted living facility out of C3 Epping Road Highway zoning district. Anne Bushnell is coming regarding 12 Front Street. The Dunkin Donuts on Epping Road is on the agenda, along with 69 Main Street, 9 condos where Brad's Auto Body used to be. Also a lot line adjustment on Newfields Road. The Planning Board Chair's wife Karen Plumer died last week and the funeral is Wednesday at 11.

e. Correspondence

- i. David O'Hearn wrote about the traffic study being put on the warrant. Mr. Dean asked how the Board liked his suggestion of making Franklin Street one way. Ms. Corson asked if Dave Sharples had looked at that. Mr. Clement said there would be a lot more turning traffic with the development of Franklin Street. Ms. Corson would also like to do a traffic study on the Alrose Shoe conversion on the messy intersection at Winter Street, Columbus, and Railroad. She suggested that there needs to be a all-way stop. She investigated, but there were no reported accidents at that intersection.

10. Review Board Calendar

The next Select Board meeting is January 7th.

11. Non-Public Session

- a. There was no non-public session other than the one at the beginning of the meeting.

12. Adjournment

MOTION: Ms. Surman moved to adjourn the meeting. Mr. Clement seconded. All were in favor and the meeting was adjourned at 9:54 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary