

Select Board Meeting
Monday February 11, 2019
Town Offices, Nowak Room
Final Minutes

1. Call Meeting to Order

Members present: Anne Surman, Kathy Corson, Julie Gilman, Molly Cowan, Don Clement, and Russ Dean were present at this meeting. The meeting was called to order by Ms. Gilman at 6:40 PM.

2. Board Interviews - Water-Sewer Advisory Committee

The board went downstairs to conduct interviews and the meeting reconvened at 7 PM.

3. Water/Sewer Abatement Requests

a. 2 Grandview Terrace

Peter Helfer was present to ask the board to reconsider his abatement request. Mr. Clement said they denied this abatement request two months ago. Mr. Dean said that they had tested the meter and it was found to be under-recording, but there was no problem with over-recording. Ms. Surman said they spent a lot of time on this previously and already had a vote. Mr. Helfer said at the meeting in July, the town had given him the option to accept the abatement for \$769.50 or send the meter out for testing. He chose to send it to testing, but now he would like the abatement. Ms. Corson said they did not approve an abatement, they did not vote in July and in December they denied the abatement. Ms. Gilman said in order to rescind and change the motion of December, they need to give a notice of rescinding the decision and do it at a future meeting.

Ms. Corson made a motion to reconsider the abatement request for Peter Helfer at the next Select Board meeting, February 25th, and Ms. Cowan seconded, but Mr. Clement said that it didn't need to be a motion, just a notice, so they didn't need to vote.

b. 15 Hampton Falls Road

Thomas Brewitt was present to discuss his abatement request. He owns the house but no one has lived in it for the last 7 or 8 months. He had a contractor working there who threw a hose in the pool and left it running for the weekend.

MOTION: Ms. Corson moved to grant the abatement for 15 Hampton Falls Road for the amount of the sewer portion of the bill, \$374.15. Ms. Surman seconded. Mr. Clement said that if the problem occurs on the customer side, they are responsible, and Mr. Brewitt should go to the contractor with the bill. Mr. Clement voted nay and the motion passed 4-1-0. The partial abatement was granted.

c. 84 Front Street

Paul and Jennifer Young were not present to discuss their abatement request.

MOTION: Mr. Clement moved to table this application. Ms. Cowan seconded. All were in favor.

d. 48 Winter Street.

Robert Carty was present to discuss his abatement request. He doesn't live at the house; on January 19th his upstairs tenant had a tag on the door that said there was high water usage. She went to the basement and found that a toilet had been running. Mr. Carty addressed it as soon as he found out, but got a \$1700 water bill.

MOTION: Ms. Cowan moved to abate the amount of \$646.92. The motion was not seconded.

MOTION: Ms. Surman moved to deny the abatement of \$646.92. Mr. Clement seconded. Ms. Cowan voted nay and the motion passed 4-1-0.

4. Public Comment

- a. Tom Seidenberg of 10 Tan Lane spoke about the need for civility, and said that Mr. Gray was treated with disrespect at the Deliberative Session.
- b. Mike Dawley of 10 Hunter Place said that public comment is the time for editorializing on the tax cap, not as part of the discussion later.

5. Proclamations/Recognitions

- a. There were no Proclamations/Recognitions at this meeting.

6. Approval of Minutes

- a. Regular Meeting: January 28th, 2019

Ms. Surman wanted to check the video to clarify a statement attributed to her in the minutes, but had been unable to locate the video of the meeting.

MOTION: Ms. Cowan moved to table the approval of minutes. Mr. Clement seconded. All were in favor.

7. Committee Appointments

MOTION: Ms. Corson moved to appoint Kirsten Arends to the Human Services Committee, no term has been established. Ms. Surman seconded. All were in favor.

8. Discussion/Action Items

- a. Tax Cap Public Hearing

MOTION: Ms. Cowan moved to open the hearing. Ms. Corson seconded. All were in favor.

Ms. Gilman said that at the Deliberative Session, the petition was amended from 3% of the previous budget to 30% of the previous budget. Part of the question was the possibility of removing Mr. Gray's name from the tax cap article. In looking through the statutes, she found no definitive language for saying a petitioned article needs to be presented this way, so she recommends that the board remove Mr. Gray's name. Ms. Corson said she supports that recommendation.

Nicholas Gray of 10 Auburn Street, the sponsor of the 3% tax cap petition, said he supports the removal of his name from the amended petition. He said that it doesn't appear from the RSAs that there's a requirement to include the citizen's name in a citizen's petition, and he suggested they remove any such prefatory material from the petitions in the future.

Mr. Gray continued that he felt the amendment was so dramatic that the scope and the subject matter did change in a way that violates the RSA. Also, the process in which it was done has created further questions. Two votes ended in a tie, and per the rules of Deliberative

Session, that meant the amendment failed. It requires an oral or written request by seven members of the public to question that vote, which did not happen, so the secret ballot should not have taken place. He felt that the amendment failed and requested that the original text of the petition go to the ballot. Ms. Gilman said she did not remember the moderator declaring a tied vote. Mr. Clement said the moderator said there were two ties. Ms. Gilman said she believed that the moderator has control of the Deliberative Session.

Paul Scafidi of 26 Jady Hill, the Town Moderator, discussed the Deliberative Session vote. He said that he came up with a tie, but the Town Clerk Andie Kohler, who was also counting, did not. Since they came up with two different counts, they went to a second ballot. The Town Moderator can cast the final vote, but he wanted to let the people make the decision, which is why they had a second vote. His and Ms. Kohler disagreed again on the second count. He's talked to Concord, and they said he had the right to do a secret ballot. For this vote, he went back to the supervisors of the checklist and had everyone check in again and revote, and they were counted the proper way. There's no reason to question this ballot, because it wasn't close to a tie. More people voted when it came to the secret ballot, 58-41. Anyone that was there that day could have called for a vote to override his decision, but no one did, so it stood.

Mr. Clement said that his concern was the secret ballot; RSA 40:4b says that seven individuals have to orally or in writing request a secret ballot, not the Town Moderator. Also, during the first secret ballot, they lost control of the blank ballots. There was no way to know who was taking those ballots, or if they took more than one. Mr. Scafidi said they did not lose control. He counted the people who came up to the final vote, and it accorded with the vote. He didn't think there were any extra ballots. Mr. Clement said he's concerned about a legal risk to the town.

Ms. Cowan said there were valuable lessons from the Deliberative Session. You can amend citizen's petitions, so they should think about how to do so in the future. She thanked Mr. Scafidi for handling a difficult situation well.

Peter Francese of 6 Granite Street said that his understanding was that once the vote was taken at Deliberative Session, this public hearing was a formality, and they could not further amend what the people had voted for by taking Mr. Gray's name off. Ms. Gilman said that the RSAs are silent on how a petitioned article is presented. Mr. Gray was the first name on the list, so his name was put on the ballot; that's not an RSA, just a policy of the board, so they can take the name off. Mr. Gray is not the subject of the article.

Doug Flockhart of 62 Park Court said he's strongly opposed to this warrant article, but he supports Mr. Gray's right to submit his warrant article, and also supports the removal of his name from the warrant article.

Paul Royal of 3 Pumpkin Circle said that the board wants to remove Mr. Gray's name because the article no longer represents the intent, but the intent was a tax cap, and that's still on the ballot. Ms. Gilman said in the RSAs about petitioned articles, intent only comes in when discussing ballots. In this instance, the subject is the tax cap. Mr. Gray's name coming off is a courtesy. Mr. Royal also thanked Mr. Scafidi for his years of service to the town.

Carl Wickstrom of 7 Charron Circle said that the decision from counsel at the Deliberative Session was that they could change the preamble as long as it didn't affect the subject of the warrant article. He felt that this is not the petition that he or the other 25 people signed.

Emily Heath of 18 Tan Lane said that Mr. Scafidi and the Select Board did a great job at the Deliberative Session. Part of democracy is to bring big ideas to the public forum. Others may amend citizen's petitions, but you still own that you started the discussion. Never before have they taken someone's name off an amendment, and it would be setting a precedent. She mentioned a case in Deerfield where a woman was unhappy with how a citizen's petition was amended and sued the town. It went all the way to NH Supreme Court, where they ruled that you can change the petition and the intent, just not the subject. She will still be voting against the amendment because it's still a tax cap, so the subject was not changed.

Jeff McLynch of 16 Epping Road thanked the Select Board for voting unanimously against the article previously. Tax caps are unsound public policy and would undermine the town's ability to fund services. A tax cap is inflexible, whereas the budget and circumstances change from year to year. Bond rating authorities say that as much as 1/3 of a town's score comes from these constraints. They're trying to bring young families to the town or attract elderly residents, but tax caps are the wrong tool for this. Tax caps undermine our democratic institutions.

Peter Lennon of 20 Cullen Way, a former member of the Budget Recommendations Committee, said he is strongly opposed to any tax cap. 30% is an improvement over 3%, but any tax cap is unwise and unjustified for Exeter. He said that the citizens have an implicit tax cap, since they can reelect the Select Board or vote against the budget. In the past seven fiscal years, 2012-2018, yearly growth in the town tax rate share has exceeded 3% only once. In four of those years, there were yearly town tax rate share decreases. In two other years, the annual town tax rate share grew much less than 3%. A tax cap will threaten public services. An unduly low tax cap is likely to threaten the bond rating for the town, and would force the town to spend thousands more on borrowing. When Moody's raised Exeter's bond rating in 2015, they said tax rate stagnation would be a factor for lowering the rating again.

Enna Grazier, an Exeter resident, said the question Mr. Gray put forward is do we want to enact a tax cap, and the town has responded no up to this point. 3% or 30%, it's a tax cap and it's unwanted. It's hard to be an informed citizen in this town, especially if you don't attend or watch the meetings, and citizens need all the information they can get, so Mr. Gray's name should stay on the warrant article.

Mr. Gray said there are three different issues: removing his name from the warrant article; how the text should appear on the ballot; and an argument for the tax cap. RSA 31:5-b provides a way to correct procedural defects that may have occurred during the Deliberative Session: *Procedurally defective actions shall mean minor procedural irregularities such as failure to comply with statutory requirements regarding time or place of notice, vote, hearing, or wording, or with any procedural act not contrary to the spirit or intent of the law.* Therefore, it seems like there is language in the state laws that allows for his name to be taken off. He didn't request that his name be removed when it was something he believed in, but the amendment is antithetical to what he believes. What text should appear on the town warrant? RSA 40:4 requires Mr. Scafidi to get seven requests from the crowd for a secret ballot, which he did not get. He declared those votes to be a tie, which meant the amendment failed. The ultimate vote was 58-41, but a lot of time transpired between the votes. More ballots were counted in the secret ballots, which he felt meant they lost control of the system. Due to these irregularities, Mr. Gray felt that the original text of his petition should be restored and voters should have their say.

Mr. Gray said that Mr. Royal had said the proposal would slash spending, but rather it's to limit spending increases. Mr. Gray has spoken at length about cost of living increases in this town, and he's confident that he's proposing something that would be very popular with the voters. Those that are involved in local government have an abundance of time or money or both, and others don't have a seat at the table. A tax cap is warranted, and a 3% figure is reasonable. It would lead to a lean budget and give the Select Board leverage in collective bargaining agreement. It would cap spending but would not cap revenue, since there are other ways of collecting revenue.

Ms. Gilman said the unrepresented populations he talked about elect the Select Board to represent all of the people of the town. She disagrees that people are underserved by the town's form of government. Also, in a public vote, not everyone in the room votes, so she found it plausible that the numbers could change for a secret ballot.

Mr. Gray said that those that are close to the decision making don't always reflect the broader electorate. He has more support in the broader community than in these meetings.

Nancy Belanger of 1 Mill Street, a member of the Budget Recommendations Committee, said that the vetting that the BRC does is very intensive. RSA 32.5c would limit the BRC's ability to do what they do now. They have a process and it works in Exeter. She mentioned that she had not been in the room for the first two votes at Deliberative Session, and suggested they take breaks next year. She supports Mr. Scafidi's decisions and process.

Peter Francese said that the reasons stated for proposing a tax cap were Mr. Gray's opinions, but research showing the detrimental effects are voluminous, and wanted the town to vote based on facts. Tax caps hurt towns and the residents of the town. In an SB2 town where voters approve all spending at the ballot, there's no need for caps; citizens coming to the poll serves as the cap.

Paul Royal discussed the difference between the article last year which describes the tax impact and this article which takes away the ability of people to decide on the tax impact. He said that the Deliberative Session was handled appropriately. If people don't like the ability to change things, they should look to Concord. Deliberative Session is the legislative body of the town. The rules were followed and the townspeople spoke. If it's difficult to live in Exeter, it's because of the demand to live in a great town, and he would hate to see something like a tax cap change that.

Mr. Scafidi said he stands by the decision of the town meeting. Concord agreed that the moderator can do what he did.

Emily Heath came to Town Meeting because it was important, not because of an abundance of money or time, and hopes that this doesn't come to legal action.

Ms. Gilman said they will be voting on two aspects: 1) changing the introduction of the article and 2) recommending the amended warrant article.

MOTION: Ms. Surman moved to close the public hearing. Ms. Cowan seconded. All were in favor.

MOTION: Ms. Cowan moved to remove Nick Gray's name, and amend Article 29 to read as follows: *By citizen's petition, shall we adopt the provisions of RSA 32:5-b, and implement a tax cap whereby the governing body shall not submit a recommended budget that increases the amount to be raised by local taxes, based on the prior fiscal year's actual amount of local taxes*

raised, by more than 30%. Ms. Surman seconded. Ms. Cowan says she feels that they should do this as a courtesy, and in the future names should not go on the warrant. Lawsuits are not the way to govern a town, and she wants to make sure they're being prudent and thoughtful with the taxes they're spending, rather than putting money into a lawsuit. What they need to do is move forward, not override the town's decision to move it to a 30% tax cap, so she hopes that Mr. Gray will let it go if they remove his name. She added that amending a citizen's petition is the legislative body's prerogative. Mr. Clement said that he's concerned that the Select Board can change something, like removing Mr. Gray's name, outside of the Deliberative Session. As the governing body, they have no right to change decisions made by the legislative body. Ms. Surman said she talked to Attorney Margaret Byrnes of The New Hampshire Municipal Association, a citizen's petition is open season, other than changing the subject matter. Ms. Byrnes' opinion was that the Select Board probably could not change the petition after the Deliberative Session, but she suggested that the Select Board should follow town counsel's recommendation. Ms. Surman said that the subject matter had changed on that article, and it was no longer Mr. Gray's petition as he wrote it. She's not in favor of the tax cap, but also not in favor of his name staying on it, because it wasn't his anymore. Ms. Cowan said that when you propose legislation and it's amended, you don't have the opportunity to take your name off it. This would be a courtesy with the hope that this will be the end of it. The Town Moderator is allowed by law to call for any kind of ballot he wants. Mr. Clement voted nay and the motion passed 4-1-0. Mr. Gray's name will be removed from the article.

MOTION: Ms. Cowan moved to not recommend citizen's petition Warrant Article 29 as amended at Deliberative Session. Ms. Corson seconded. All were in favor and it will go on the ballot as not recommended by the Board of Selectmen.

Mr. Clement mentioned that the sidewalk warrant article had also been amended at Deliberative Session.

MOTION: Mr. Clement moved to recommend the amended Article 15 for appropriation to Capital Reserve Fund for Sidewalks, from \$40,000 to \$60,000: *To see if the town will vote to raise and appropriate the sum of \$60,000 to be added to the Sidewalk Repair and Replacement Capital Reserve Fund previously established. This sum to come from general taxation.* Ms. Corson seconded. All were in favor.

b. 2019 Revaluation Update - Municipal Resources Inc. - Paul McKenney
Paul McKenney, a Contract Assessor from Municipal Resources Inc., spoke about the town revaluation. As part of the process, they attempt to do an interior inspection on all properties sold in the last 2 years. This process will continue until March 31st. Income and Expense questionnaires were mailed to all commercial property owners. All properties with current building permits are up to date through the end of December, and they'll continue to inspect those through April 1. They've updated all of the Land and Building tables in the VISION database. They've also completed 75% of the field review, which is an exterior inspection of all properties in town. The overall increase of the revaluation will be between 15% and 20% townwide. Vacant land will increase 15 - 19% over the 2015 revaluation; residential will increase

16 - 21%; condominiums will increase 30 - 36%; mobile homes will increase 38 - 44%; Commercial condos will increase 13 - 18%, and commercial and industrial properties will increase 5 - 10%, because the income that a commercial property can produce doesn't go up as high as the residential properties. Demand in the real estate market has increased over the last four years. The tax rate will actually be reduced as a result of the increase in the assessed value.

Mr. Clement asked about the multifamily increase. Mr. McKenney said that multifamily is defined as 8 or more units, and therefore is considered part of the commercial category at 5 - 10%. Mr. Clement asked how many sales were used as a sample size. Mr. McKinney said there were 300 qualified sales; there were many more sales, but they remove any sales that are not an arms-length transaction, such as a family sale or a foreclosure. Ms. Corson asked if these values will be changed for December, and Mr. McKinney said yes, at the end of the process he'll present the values, if Select Board approves, they'll send out a letter to everyone in town with the old value and the new value. Those affected will have the opportunity to come to the assessors at Town Hall to offer any new information or ask questions. Once that process is complete, they'll present the final values. Mr. Dean said that changes in value may or may not mean changes in your tax bill. With all the articles passing, they're projecting a 7.27% tax impact, but that number is based on no change in value. If changes are 15 - 20%, the rate will drop from 7.27% to somewhere around 6.15%, depending on the Warrant Articles that pass.

c. E911 Committee Street Naming Recommendations

MOTION: Mr. Clement moved to open the public hearing on the street recommendations of the E911 Committee. Ms. Surman seconded.

Dean Sharples spoke on behalf of the E911 committee, saying there were five recommendations they'd like the board to consider. The NH Division of Emergency Services and Communications did an audit that looked at all addressing issues like street naming and numbering. They then create a map book and a report on addresses which don't meet state standards. The E911 Committee prioritized duplicate street names, which are the first four recommendations.

The first recommendation is to change the name of Park Court to Jacks Court, and renumber dwellings in accordance with Chapter 14 of the Town Ordinance. There is already a Park Street in town. State RSA says that any new name can't be the same name with a different suffix. This is an old street, not a new street, so they're not prohibited from keeping it, but the E911 Committee recommends changing it. Jacks Court was proposed by the neighbors and accepted by the committee.

Eileen Flockhart of 62 Park Court asked about which utilities and organizations the town will be contacting, and about the time frame of the change. Mr. Sharples said that the town notifies UPS, FedEx, US Postal Service, and makes the change on Google Maps. Those changes take a week or two. They also notify the Town Clerk, Town Records, and the Assessing Office. All bills would be the owner's responsibility to change. Ms. Surman said that Assistant Fire Chief Pizon does notify some utilities, but Mr. Sharples said that update doesn't affect the billing department. He said that if the Select Board takes the recommendation, Chief

Pizon issues a letter letting residents know of change, which takes effect 30 days from the date of his letter. That letter could take two weeks, so the change would be at least 6 - 8 weeks from today. This gives the town time to notify organizations and to install a new street sign.

Doug Flockhart of 62 Park Court said he doesn't want the name of their street changed, because it could lead to a lot of problems and doesn't make them any safer. However, he requested that if it must be changed, he would like it changed to Jacks Court.

Ms. Surman said that as the Select Board representative to E911 Committee, she knows it's not pleasant to change things, but the state has said this is what they must do for public safety. Mr. Sharples said that on this question, he defers to the opinions of emergency responders who respond for a living. Assistant Chief Pizon told him about situations where they got an address wrong through dispatch. Nothing came of the mistakes, but they did go to the wrong addresses based on duplicate street names, so there's a risk. Changing the street name diminishes the risk. If you don't change it, it could be life or death. If you do change it, it's only an inconvenience, despite strong feelings.

Lynette Lindsay Chase of 66 Park Court asked how the property deeds are changed. Mr. Sharples said that the registry doesn't index property based on the address. The deed may have an address on it, but there's no need to change it. You can wait until the property transfers, then create a new deed reflecting the new address. Ms. Corson said it's the metes and bounds that are important, not the street address.

Doug Flockhart said that the street numbering of Park Court is consistent with Park Street, so there's no duplication. Mr. Sharples said that with the numbering issues on Park Street, they're going to need to renumber, so you could have conflicts in the future. Every 50 feet gets a number, whether there's a house or not, to avoid problems caused by subdivisions.

Malcolm Westling of 54 Park Court said that you can assume that Park Court is off of Park Street. What would make it safer would be not to change that to a court that no one knows where it is. Only the numbering should be taken care of.

Ms. Corson said she needs to listen to the Emergency Services, and asked to table the hearing until the police and fire department can be present. Mr. Sharples asked if they could table them individually, since some people actually wanted the street name changed.

MOTION: Ms. Corson moved to table recommendations 1 and 2 from the street name and numbering recommendations, and move them to the February 25th meeting. Ms. Surman seconded. All were in favor.

Sally Ward of 54 Park Street said she hasn't been included in communications from the town on the Park Court name change, but they are affected, and asked if they can be included in future communications. Mr. Sharples said there won't be any further letters until the Select Board addresses the matter.

Mr. Sharples said that the third suggestion was to change Prospect Avenue to Manor Avenue, but the residents didn't like it. Tom Gregory on 8 Prospect Ave had told Mr. Sharples that the residents prefer Magnolia. Ms. Gilman says that it doesn't seem correct to call it an avenue, and asked if this could also be changed.

Tom Gregory of 8 Prospect Avenue spoke on the proposal. He said that he respects that the name needs to change, and he felt they could do Lane instead of Avenue.

MOTION: Mr. Clement moved to change the name of Prospect Avenue to Magnolia Lane. Ms. Surman seconded. All were in favor.

Mr. Sharples said that the subject of the fourth recommendation, Windsor Lane, was moved up at the request from the residents. They liked Acadia Lane, but there was also a suggestion for Arcadia. Ms. Corson said Acadia was more of a local name.

Apoorv Jain of 27 Windsor Lane asked if national databases like immigration will be notified. He is concerned that anytime his address changes, he has to update the record, but it must be an address already in the database. Mr. Sharples said they don't currently notify federal agencies, but he can research that. Ms. Gilman said the town will provide any information the federal agencies require for official notice of change. Mr. Sharples said that the letter from Assistant Fire Chief Pizon serves that purpose.

Denise Harrington of 41 Windsor Lane said the change will be fine for a year, but wondered if it will be ok in five years. How long will records be on file? Ms. Gilman said planning-related documentation is kept forever. Ms. Harrington said that the neighborhood is new, so how did they end up with a duplicate street name? Mr. Sharples responded that there was no process in place at the time; the developer just went ahead and the Planning Board worked with it. E911 committee is part of the new process to ensure there will be no duplication.

Matthew Morris of 47 Windsor Lane said he'd looked at the history of the name Acadia and there's a relationship to indigenous peoples and their displacement. He is concerned about cultural insensitivities, and doesn't want to have to make the street name change again. Ms. Cowan suggested tabling the discussion to do more research, in the interest of being sensitive and not having them go through this again.

MOTION: Ms. Cowan moved to table recommendation number 4 with the name changes. Ms. Corson seconded. All were in favor.

Mr. Sharples asked if the E911 Committee needs to take any action following this motion. Ms. Cowan suggested they reach out to people on the street for another idea. She is willing to do research on the name Acadia. Ms. Corson suggested the neighbors get together again and reevaluate the name. Scott Denny of 35 Windsor Lane said he didn't get a list of recommended names, so he'd be interested in looking at a list and they could choose from there.

Mr. Sharples discussed the fifth recommendation, regarding the "TIF" Road. Ray Farmstead Road was proposed by the developer and it meets the ordinance so it was recommended.

MOTION: Ms. Corson moved to name the TIF Road off of Epping Road "Ray Farmstead Road". Ms. Surman seconded. All were in favor.

d. Classification Plan Amendment - Senior Accountant

Mr. Dean discussed a change in classification for a position that is doing higher-level work in the finance and accounting office. They've redrafted the job description to make it more accurate. Originally, when this position was filled, there was a 3 - 5 year experience requirement. As the position has grown to play a lead role within the department and the office, a new hire would require 5-8 years' experience to fill it. Ms. Surman asked if they are

redesigning a job to suit the person in the job, or to meet the needs of the town. Mr. Dean said the position is moving from a grade 11 to a grade 12 reflective of the duties of the position. Mr. Clement wondered if they create a grade 12 position called senior accountant, will they continue to have a grade 11 position called accountant. Mr. Dean said they could delete it from the classification plan, but they could also keep it and not fill it. Ms. Cowan said she liked keeping both, so they could hire whichever the town needs. Mr. Dean said they only have three people in the department, and this position is also playing a large role in the auditing process and Water/Sewer reconciliations and is a key part of the MUNIS implementation team. He added that the pay scale for a Grade 12 is \$66,000 - \$87,000 vs a Grade 11 at \$62,000 - \$82,000.

MOTION: Ms. Corson moved to create a grade 12 position within the finance department for a senior accountant, full-time non-union. Ms. Cowan seconded. Ms. Surman voted nay and the motion passed 4-1-0.

e. Water Sewer Abatement Policy Update

Bob Kelly, chair of Water/Sewer Advisory Committee, was present to discuss the proposed revisions to the abatement policy. He said that years ago, all abatement requests would go to the committee, and the resident would either accept the committee's decision or go before the Select Board. Their policy was that if it's a town error, the town would fix it. It rarely is, so the ratepayers are on the hook. That led to people coming to the Select Board directly. Mr. Clement stressed that only the Select Board could grant the abatement; they must see all abatement requests, regardless of whether they go through the Water/Sewer Committee or not. More have been coming recently because they have been liberal in giving abatements when they shouldn't be.

Mr. Kelly said there should be a revision to the policy to deal with cases that aren't black and white. The 10 year review period was changed to 5 year review period. If unpreventable release exceeds 50% of normal usage, the Committee recommends that they establish a one-time \$500 flat fee abatement. Most requests don't have any basis in fault with the town, the intent was to give them a more liberal interpretation of the policy, knowing that the rates had gone up and accidents happen. Mr. Clement said he is concerned about a gray area, because decisions become subjective and can be questioned. He would like to take some real cases and determine what the new abatement numbers would be. The time limit on above average usage also needs to be defined. Mr. Kelly said Mr. Berube told him they would typically go back 2 years.

Ms. Surman said she agreed with the current policy. It's either the town's fault or it isn't. As a board you can make exceptions, but you have to start from black and white. Mr. Dean said that administratively, they liked a flat amount that could be granted. People are coming to the Select Board feeling that they have no other recourse. Giving them the ability to have one abatement in a five year period could be a safety valve. \$500 won't make a huge dent in a bill that's thousands of dollars, but it's something.

Ms. Corson pointed out that the phrase "unfortunate circumstances" in number 5 is not defined, and asked that they tighten up the language. Mr. Kelly said he could review and take out ambiguous language. Ms. Corson suggested they table the discussion.

9. Regular Business

a. Tax, Water/Sewer Abatements and Exemptions

MOTION: Ms. Cowan moved to approve a Vet Credit for 95/64/64 in the amount of \$500. Mr. Clement seconded. All were in favor.

MOTION: Ms. Cowan moved to deny a Vet Credit for 55/41. Mr. Clement seconded. All were in favor.

MOTION: Ms. Cowan moved to approve an Elderly Exemption in the amount of \$183,751 for 64/21. Mr. Clement seconded. All were in favor.

MOTION: Ms. Cowan moved to approve a Disability Exemption in the amount of \$125,000 for 65/124/35. Mr. Clement seconded. All were in favor.

MOTION: Ms. Cowan moved to approve an abatement in the amount of \$1014.75 for 64/48/12. Mr. Clement seconded. All were in favor.

Mr. Dean discussed a list of 40 properties, mostly manufactured homes, in which they are recommending deed waivers for different reasons. He recommended that the Select Board sign a deed waiver on each of the properties. Mr. Clement said this means we will not accept ownership of real estate of these properties. Mr. Dean said we don't know whether taking them will subject us to obligation or liability risk. This doesn't relieve the ability to take the tax deed at a later date.

MOTION: Ms. Corson read a statement: *The Select Board of the Town of Exeter hereby notifies Russell Dean, Tax Collector that it will not accept the Tax Collector's Deed on the following properties because "in its judgment, acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks" per RSA 80:76 II-a, list as per given.* Ms. Cowan seconded. Mr. Clement said he agrees with most of the list but still has questions on the first three. Ms. Gilman abstained and the motion passed 4-0-1.

b. Permits & Approvals

MOTION: Ms. Corson moved to approve the application for use of the Back Room Art Gallery for Bob Richardson Feb 16 - April 6 2019. Ms. Surman seconded. All were in favor.

c. Town Manager's Report

i. There was no Town Manager's Report at this meeting.

d. Select Board Committee Reports

i. There were no Committee reports at this meeting.

e. Correspondence

i. Letter from OED Granite Apollo regarding solar panel installations

ii. Letter from Granite Bridge regarding proposed pipeline for liquid natural gas. They will be doing boring samples in the Exeter right of way.

iii. Letter concerning a complaint from Brian Fieldsend on the town water quality causing his pumps to fail

- iv. Letter from the Exeter Historical Society thanking them for their membership
 - v. Letter from Governor Sununu's office on Ocean Energy Management
 - vi. Notice of a grant for new small businesses provided by the Regional Economic Development Center
 - vii. Letter regarding Piscataqua Estuaries
 - viii. Letter from Windemere Homeowner's Association regarding change applications, which they will pass on to the Planning Department.
10. Review Board Calendar
- a. The next meeting is in 2 weeks, on February 25th.
11. Non-Public Session
- a. There was no non-public session at this meeting.
12. Adjournment
- a. Ms. Surman moved to adjourn. Ms. Corson seconded. All were in favor and the meeting adjourned at 11:02 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary